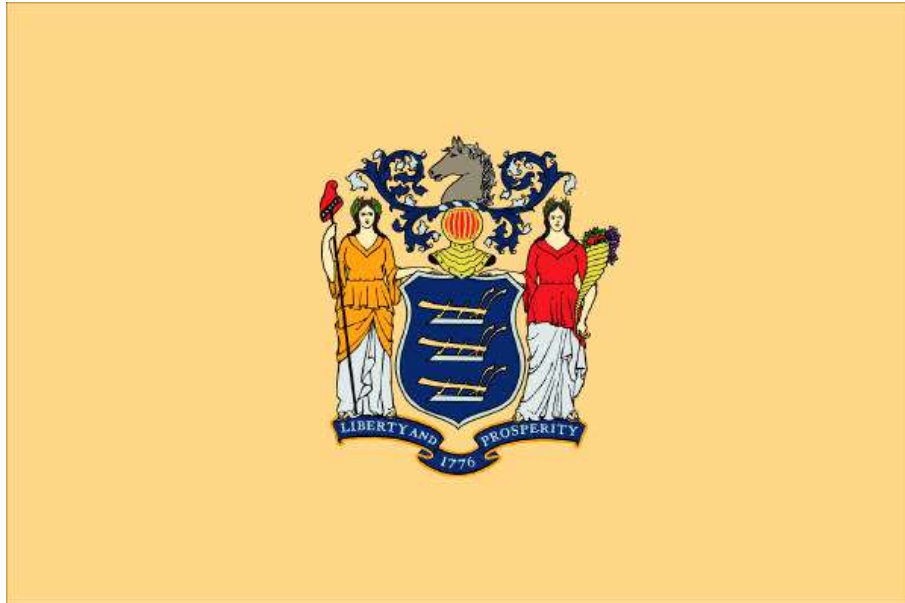


New Jersey Department of Education Office of Special Education Programs



Part B State Performance Plan: 2005-2012

Original Submission – December 2, 2005

Approved By: The United States Department of Education
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Overview of the State Performance Plan Development

December 2005

Description of the Process the New Jersey Department of Education, Office of Special Education Programs (NJOSEP) used to develop the SPP:

Description of how NJOSEP Obtained 'Broad Input' from Stakeholders

Invitation to Stakeholders

An invitation was sent to a broad range of organizations on September 15, 2005, soliciting their participation in each of two meetings that were planned for October 21, 2005 and November 3, 2005, to obtain stakeholder input into the development of the NJSP. NJOSEP requested the participation from each member of the New Jersey State Special Education Advisory Council (SSEAC) and the immediate past chair of the council and a representative from each of the following:

- Boggs Center, University of Medicine and Dentistry, University Center for Excellence in Developmental Disabilities Education, Research, and Service
- Garden State Coalition of Schools
- ASAH (New Jersey Association of Private Schools for Students with Disabilities)
- New Jersey Association of Pupil Personnel Administrators
- New Jersey Association of School Administrators
- New Jersey Coalition for Inclusive Education
- New Jersey Department of Human Services, Office of Education
- New Jersey Department of Juvenile Justice
- New Jersey Department of Vocational and Rehabilitation Services
- New Jersey Developmental Disabilities Council
- New Jersey Education Association
- New Jersey Principals and Supervisors Association
- New Jersey Protection and Advocacy
- New Jersey School Boards Association
- Statewide Parent Advocacy Network (SPAN)

Follow-up telephone calls were made to organizations that did not respond by October 15th, in order to verify receipt of the invitation, discuss the significance of the meetings, and confirm the participation of the agency.

Facilitation of Stakeholder Meetings

Dr. Kristin Reedy, Director of the Northeast Regional Resource Center (NERRC), facilitated both stakeholder meetings. As reflected in the meeting agendas (see below), Dr. Reedy provided a comprehensive introduction to the SPP/APR process and requirements and facilitated the small group activities for setting targets and obtaining input into improvement activities/strategies for selected indicators.

Indicator Framework and Stakeholder Input

The following framework was used with regard to target setting:

Indicators – no target setting required:

- **Indicators with targets of 100%:** Indicators focused on compliance requirements had a required target of 100%, negating the need for a target setting activity. This included Indicators 12, 15, 16, 17, 18, 19, 20.
- **New Indicators with targets of 100%:** Several of the **New Indicators** were also compliance indicators and would have a target of 100% (Indicator 11, 13 and Indicators 9, 10 [0 difference in 100% of districts]).
- **New Indicators – Targets Set in February 2007 APR:** Targets would be set, with stakeholder input, and reflected in the February 2007 APR for **New Indicator** 8 and the February 2008 APR for New Indicator 7 and 14.

Indicators – target setting required:

- NJOSEP staff provided background information, including presentation of trend data and/or the 2003-2004 or 2004-2005 data needed to set a target(s) for a specific indicator. A proposed target and related activities were then presented to the stakeholders and stakeholder responses were recorded and taken into consideration by NJOSEP. This format was applied to Indicators 1, 2, 3, 4 (see indicator for specific details).
- A small group activity was used to obtain input into the targets and improvement activities for Indicators 5, 6, 19 (see indicator for specific details).

Stakeholder Meeting – October 21, 2005

Meeting Participants - The following organizations and interest groups participated in the first stakeholder meeting held on October 21, 2005.

- 7 members of the SSEAC (including 5 parent representatives)
- New Jersey Developmental Disabilities Council
- New Jersey Principals and Supervisors Association
- New Jersey Protection and Advocacy
- New Jersey Association of School Administrators
- New Jersey Coalition of Inclusive Education
- Garden State Coalition of Schools
- ASAH (New Jersey Association of Private Schools for Students with Disabilities)
- Statewide Parent Advocacy Network
- Boggs Center, University of Medicine and Dentistry

Meeting Agenda – The October 21st meeting agenda including the following:

- Overview of the SPP by Kristin Reedy, Director of the Northeast Regional Resource Center (NERRC), including a presentation of the history, authority, terminology, process, indicators and targets

- A Presentation of Indicators 7, 14, 15, 16, 17, 18 and 19 by the NJOSEP staff with Stakeholder Response
- A discussion of Indicator 8 including the National Center for Special Education Accountability Monitoring (NCSEAM) Parent Survey by Debra Jennings from the Statewide Parent Advocacy Network
- Stakeholder Input - Target Setting Activity for Indicator 19 – Mediation Agreements facilitated by Kristin Reedy, NERRC
- Discussion of the Agenda for the second stakeholder meeting scheduled for November 3, 2005.

Background Resources for Stakeholders - The stakeholders were provided with the following handouts as background information:

- The Annual Performance Report submitted to United States Department of Education, Office of Special Education Programs (USOSEP) for the reporting period July 2003-June 2004;
- USOSEP response to the NJOSEP APR dated September 8, 2005;
- The instructions for completing the State Performance Plan;
- The Table of Monitoring Priorities and Indicators;
- The Draft of the Part C and B State Monitoring Priorities and Indicators: Related Requirements and Investigative Questions Table;
- A summary of the SPP indicators prepared by Kristin Reedy;
- National Center for Special Education Accountability Monitoring (NCSEAM) Parent Survey

Stakeholder Meeting November 3, 2005

The second stakeholder meeting was held on November 3, 2005. The following organizations were represented at the second stakeholder meeting:

- 8 representatives of the SSEAC
- The New Jersey Division of Vocational Rehabilitation Services
- The New Jersey Principals and Supervisors Association
- New Jersey Protection and Advocacy
- New Jersey Association of Superintendents
- Statewide Parent Advocacy Network
- New Jersey School Boards Association
- ASAH (New Jersey Association of Private Schools for the Disabled)
- Boggs Center, University of Medicine and Dentistry
- New Jersey Pupil Personnel Administrations
- Coalition for Inclusive Education
- New Jersey Department of Human Services, Office of Education
- New Jersey Department of Juvenile Justice

The meeting agenda including the following:

- Summary of Previous Stakeholder Meeting, Kristin Reedy, Northeast Regional Resource Center
- Presentation of Indicators 5 and 6, Placement in the LRE by NJOSEP Staff
- Stakeholder Small Group Activity – Target Settings and Strategies/Activities for Indicators 5 and 6
- Presentation of Indicators 1, 2, 3, 4, 9, 10, 11, 12, 13 and 20 with Stakeholder Response
- Discussion of Next Steps including Submission of SPP, USOSEP response and scheduling of future stakeholder meetings

The stakeholders were provided the following handouts as background information:

- A copy of the NJOSEP staff power point presentations for specific indicators including: a discussion of the indicator, measurement, target requirements, relevant data, an outline of improvement activities currently being implemented during the 2005-2006 school year and improvement activities previously planned for subsequent years, including New Jersey State Improvement Grant activities.
- Two papers that provided background information about statistical measures for Indicators # 9 and # 10, Disproportionality. The papers included a National Center for Culturally Responsive Educational Systems' practitioner brief entitled: *Disproportionate Representation of Culturally and Linguistically Diverse Students in Special Education: Measuring the Problem* and the Westat document, *Methods For Assessing Racial/Ethnic Disproportionality In Special Education: A Technical Assistance Guide*.

Note: A summary of the background information presented by NJOSEP and summary of stakeholder input will be discussed in the SPP under Overview of State Performance Plan Development for each indicator. In addition, stakeholder suggestions for specific activities that NJOSEP will be implementing are referenced in the Improvement Activities section of the SPP.

<p style="text-align: center;">UPDATE TO</p> <p>Description of how NJOSEP Obtained 'Broad Input' from Stakeholders including New Indicators</p>

State Special Education Advisory Council (SSEAC)

Since the submission of the State Performance Plan, December 2, 2005, the SSEAC has received updates regarding the following;

- USOSEP's approval the New Jersey Department of Educations' SPP;
- Alignment of the self-assessment/monitoring process to the federal monitoring priorities and SPP/APR indicators;
- Progress regarding implementation of the Preschool Outcome Study and Post-Secondary Outcome Survey and barriers regarding implementation of the Parent Survey;
- Implementation of Improvement Activities related to various SPP/APR indicators (e.g. literacy initiative, school-wide behavior supports; grants promoting inclusive practices).

SSEAC representatives also participated in the Stakeholder Meetings detailed below.

Stakeholder Meeting – September 28, 2006

A stakeholder meeting was held on September 28, 2006 for the specific purpose of discussing Indicators 9 and 10 – Disproportionality, Indicator 5 – School Age LRE, and Indicator 15 general supervision. At this meeting NJOSEP staff described revisions to the self-assessment/monitoring process, specifically the alignment of the monitoring system to the SPP indicators. Additionally, the definition of disproportionate representation was discussed, the multiple methods used for identifying districts with disproportionate representation, and the protocol for reviewing practices relevant to inappropriate identification.

The following organizations were represented at the September 28th meeting:

- State Special Education Advisory Council (Six Representatives, including four parent representatives)
- Boggs Center, University of Medicine and Dentistry, University Center for Excellence in Developmental Disabilities Education, Research, and Service
- New Jersey Coalition for Inclusive Education
- New Jersey Protection and Advocacy
- New Jersey School Boards Association
- Statewide Parent Advocacy Network

Invitation to Stakeholders

A meeting announcement was sent to a broad range of organizations on December 22, 2006 soliciting their participation in each of two meetings that were planned for January 10, 2007 and January 17, 2007 to obtain stakeholder input into the development of the NJSPP/APR. NJOSEP requested the participation from each member of the New Jersey State Special Education Advisory Council (SSEAC) and a representative from each of the following:

- Boggs Center, University of Medicine and Dentistry, University Center for Excellence in Developmental Disabilities Education, Research, and Service
- Garden State Coalition of Schools
- ASAH (New Jersey Association of Private Schools for Students with Disabilities)
- New Jersey Association of Pupil Personnel Administrators
- New Jersey Association of School Administrators
- New Jersey Coalition for Inclusive Education
- New Jersey Department of Human Services, Office of Education
- New Jersey Department of Juvenile Justice
- New Jersey Department of Vocational and Rehabilitation Services
- New Jersey Developmental Disabilities Council
- New Jersey Education Association
- New Jersey Principals and Supervisors Association
- New Jersey Protection and Advocacy
- New Jersey School Boards Association
- Statewide Parent Advocacy Network (SPAN)

Follow-up telephone calls and e-mails were made to organizations that did not respond in order to verify receipt of the invitation, discuss the significance of the meetings, and confirm the participation of the agency.

Stakeholder Meeting – January 10, 2007

NJOSEP staff discussed the following at each of the stakeholder meetings, the SPP indicator measurement, process for data collection, baseline data from the SPP, progress in relation to the target, and improvement activities. In instances where data collection needed to be updated, the new baseline data and targets were also discussed, as noted in APR revisions (Indicators 1, 2, 4A). A general discussion followed each indicator. Stakeholders requested a copy of the power point presentations prepared by NJOSEP staff for each indicator; these were disseminated at the January 17, 2007 meeting.

The following were represented at the January 10th meeting:

- State Special Education Advisory Council (Seven Representatives, including three parent representatives)
- Boggs Center, University of Medicine and Dentistry, University Center for Excellence in Developmental Disabilities Education, Research, and Service
- New Jersey Coalition for Inclusive Education
- New Jersey Developmental Disabilities Council
- New Jersey Association of Pupil Personnel Administrators
- New Jersey Protection and Advocacy
- New Jersey School Boards Association
- Statewide Parent Advocacy Network

The following SPP/APR indicators were discussed at the meeting:

Indicator # 1	Graduation Rates
Indicator # 2	Drop-Out Rates
Indicator # 4A	Suspension/Expulsion
Indicator #7	Preschool Outcomes
Indicator #11	Child Find
Indicator #16	Complaint Timelines
Indicator #17	Due Process Timelines
Indicator #18	Hearing Requests – Resolution Sessions
Indicator #19	Mediation Agreements

Stakeholder Meeting – January 17, 2007

At the second stakeholder meeting, the SPP indicator measurement, process for data collection, baseline data from the SPP, progress in relation to the target, and improvement activities were again discussed. Instances where data collection needed to be updated, the new baseline data and targets were also discussed, as noted in APR revisions (Indicators 1, 2, 4A.). A general discussion followed each indicator. Stakeholders received copies of the power point presentations prepared by NJOSEP staff. Kristin Reedy, the Director of the Northeast Regional Resource Center, served as the recorder for this meeting.

The following were represented at the January 17, 2007 meeting:

- State Special Education Advisory Council (Nine Representatives, including 4 parent representatives)
- Boggs Center, University of Medicine and Dentistry, University Center for Excellence in Developmental Disabilities Education, Research, and Service
- New Jersey Coalition for Inclusive Education
- New Jersey Association of Pupil Personnel Administrators
- New Jersey Protection and Advocacy
- Statewide Parent Advocacy Network

The following SPP/APR indicators were discussed at this meeting:

Indicator # 1	Graduation Rates (Revisited)
Indicator # 2	Drop-Out Rates (Revisited)
Indicator # 5	School Age LRE
Indicator #15	Identification and Correction of Non-Compliance
Indicator #20	State Reported Data
Indicator # 3	Assessment
Indicator #4B	Suspension/Expulsion – Race/Ethnicity
Indicator # 9	Disproportionality – All Disabilities
Indicator #10	Disproportionality – Specific Disabilities
Indicator # 6	Preschool LRE
Indicator #12	Early Childhood Transition
Indicator #13	Secondary Transition
Indicator #14	Post-Secondary Transition
Indicator # 7	Parent involvement

Future Stakeholder Meetings

Plans for future stakeholder meetings were discussed. NJOSEP will develop a schedule for review and analyses of data for each SPP/APR indicator. Based on the schedule of data analyses, stakeholder meetings will be planned and implemented to review data, targets and improvement activities. This activity is reflected throughout the APR.

Description of how NJOSEP Disseminated and will Disseminate the SPP/APR to the Public
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State Performance Plan – Public Reporting

Consistent with the requirements established in the 2004 Amendments to the Individuals with Disabilities Education Act, NJOSEP made New Jersey's performance plan available to the public by the following means:

Posting on the Website of the State education agency:

The SPP 2005 was posted on the New Jersey Department of Education's website, once it was submitted to USOSEP on December 2, 2005 and again when it was approved by USOSEP with required clarifications, on March 28, 2006 at <http://www.nj.gov/njded/specialed/info/spp/>.

USOSEP's response to the SPP is also posted on the New Jersey Department of Education website at <http://www.nj.gov/njded/specialed/info/spp/stateplan.pdf>.

Distribution to the Media: NJOSEP, since its approval from the USDOE, referred the press to the SPP website when press inquiries were relevant to the SPP indicators.

Once the USDOE responds to the SPP/APR February 1, 2007 submission, NJOSEP will issue a press release that provides an overview of the purpose and scope of the SPP/APR and its location on the NJDOE website.

Distribution through public agencies: NJOSEP distributed a memo to school districts, agencies, organizations and individuals concerned with special education, in accordance with the NJDOE's mass mailing procedures. The memo provided information regarding the SPP requirements, its relevance to the NJOSEP's self-assessment monitoring process, and public reporting requirements. The memo can be found at <http://www.nj.gov/njded/specialed/memos/112706spp.pdf>,

**Overview of the State Performance Plan
and
Annual Performance Plan Development
FFY 2006**

**Description of how NJOSEP Obtained 'Broad Input' from Stakeholders
For
February 1, 2008 Submission of the State Performance Plan and Annual Performance Report**

Description of the Process the New Jersey Department of Education, Office of Special Education Programs (NJOSEP) used to develop the APR and to discuss updates and revisions to the SPP, including revised targets.

State Special Education Advisory Council (SSEAC)

The SSEAC continued to receive periodic updates regarding the State Performance Plan and Annual Performance Report since the submission to the USDOE on February 1, 2007. Specific issues discussed included the following:

- A review of USOSEP's correspondence of April 24, 2007 regarding Disproportionality of Racial-Ethnic Groups in Special Education, that provided clarification as to the requirements for identifying "Significant Disproportionality" and "Disproportionate Representation" necessitating a review of policies, procedures and practices. Based upon a discussion of the memo, and agreement of the SSEAC, NJOSEP reviewed the data of those districts originally identified for review of policies, procedures, and practices (i.e., those districts reflected in the SPP – Indicator # 9 and Indicator # 10) and distinguished those with disproportionate representation and those identified as having "Significant Disproportionality" requiring the 15% allocation of IDEA funds to early intervening services.
- USOSEP's June 15, 2007 correspondence regarding acknowledgment of the timely submission of the New Jersey Department of Education's Annual Performance Report (APR) and revised State Performance Plan (SPP) as well as the revisions to New Jersey's SPP received on April 27, 2007. Additionally, USOSEP's determination that New Jersey needs assistance in meeting the requirements of Part B of the IDEA was discussed; the determination letter and response table were disseminated to SSEAC members.
- Data collection issues and progress regarding Indicator 8 – Parent Involvement and Indicator 14 – Post school Outcomes
- Public Reporting Timelines and Format
- NJOSEP's criteria for state determinations of local districts implementation of state and federal special education regulations

Invitation to Stakeholders

At the December 20, 2007 meeting of the SSEAC, NJOSEP indicated that a stakeholder meeting would be held on January 11, 2008 to obtain stakeholder input into the development of the NJSP/APR. In addition, on December 31, 2007, NJOSEP requested that a representative from the following agencies and organizations participate in the January 11th stakeholder meeting:

- Boggs Center, University of Medicine and Dentistry, University Center for Excellence in Developmental Disabilities Education, Research, and Service
- Garden State Coalition of Schools
- New Jersey Association of Pupil Personnel Administrators
- New Jersey Association of School Administrators
- New Jersey Coalition for Inclusive Education
- New Jersey Developmental Disabilities Council
- New Jersey Education Association
- New Jersey Principals and Supervisors Association
- New Jersey Protection and Advocacy
- New Jersey School Boards Association
- Statewide Parent Advocacy Network (SPAN)

Stakeholder Meeting – January 11, 2008

The stakeholder meeting was facilitated by Kristin Reedy, the Director of the Northeast Regional Resource Center. Dr. Reedy also served as the recorder of meeting discussions. The meeting agenda included the following:

- **Distribution of a “Summary Indicator Progress Chart” that listed each indicator and served as background information for a discussion of each indicator with respect to the following:**

What targets did we meet?

How much progress are we making?

- **Discussion of Baseline and Setting Targets for Indicator 14, Postsecondary Transition (Facilitated by Kristin Reedy)**
- **Revising the Baseline and Targets – Indicator 18 – Dispute Resolution *Kristin Reedy* (Facilitated by Kristin Reedy)**
- **Status of Data Collection and Analysis, Indicator 8, Parent Involvement**
- **Status of Indicator 6, FAPE in the LRE, Students with IEPs, 3-5,USOSEP Revised Data Collection Requirements**
- **Status of Data Collection, Indicator 7, Preschool Outcome**

The focus of the stakeholder discussions are also provided under each APR indicator.

The following were represented at the January 11, 2008 meeting:

New Jersey Association of Pupil Personnel Administrators
 New Jersey Department of Children and Families, Office of Education
 Statewide Parent Advocacy Network
 New Jersey Coalition for Inclusive Education
 New Jersey Protection and Advocacy

New Jersey Division of Vocational Rehabilitation Services
 New Jersey School Boards Association
 Boggs Center, University of Medicine and Dentistry, University Center for Excellence in
 Developmental Disabilities Education, Research, and Service
 Eight State Special Education Advisory Council Members (6 Parent Representatives)

Description of How and When the State will Report Annually to the Public

***The State's Progress and/or Slippage in Meeting the
 "Measurable and Rigorous Targets found in the SPP"***

State Performance Plan/Annual Performance Plan – Public Reporting

Consistent with the requirements established in the Individuals with Disabilities Education Act (IDEA 2004), NJOSEP again made New Jersey's State Performance Plan/Annual Performance Plan available to the public by the means indicated below.

Posting on the Website of the State education agency: The SPP and APR were posted on the New Jersey Department of Education's website immediately after it was submitted to USOSEP on February 1, 2007. It was posted again after its resubmission to USOSEP on April 27, 2007 with requested information regarding sampling plans. (<http://www.nj.gov/education/specialed/info/spp/resubmission.doc>).

USOSEP's response to the SPP, dated June 15, 2007, that include the State's determination of "Needs Assistance" in meeting the requirements of Part B of the IDEA was, and continues to be posted on the NJDOE's website at: http://www.nj.gov/education/specialed/info/spp/usdoe_determination.pdf

NJOSEP will again post the SPP/APR on its website immediately after its February 1, 2008 submission to USOSEP.

Distribution to the Media: NJOSEP, since its approval from the USDOE, made the SPP available to the media through the NJDOE website and referred the press to the SPP website when press inquiries were relevant to the SPP indicators.

In addition, a press release, discussing the federal requirements for the SPP and the public release of local district profiles detailing the performance of each local education agency located in the State on the targets in the SPP was released on December 19, 2007.

The SPP/APR will again be distributed to the Media through posting on the NJDOE website. NJOSEP will again issue a press release that discusses the SPP/APR submissions, USOSEP's determination of NJOSEP's implementation of the IDEA requirements; and the posting of districts profiles

Distribution through public agencies: NJOSEP distributed a memo to school districts, agencies, organizations and individuals concerned with special education, in accordance with the NJDOE's mass mailing procedures. The memo provided information with regard to: Federal Determinations Regarding States implementation of the IDEA, including USDOE's determination regarding NJOSEP's implementation of IDEA requirements; the requirement for State determinations of local districts; and the requirements for annual public reporting of local district performance. The memo included the SPP/APR website and the website for the USDOE's determination letter.
 (see memo at: <http://www.nj.gov/education/specialed/memos/102207idea.pdf>)

Overview to State Performance Plan and Annual Performance Report Development FFY 2007

How the State obtained “broad input” from stakeholders related to new indicators and revisions to the SPP and development of the APR

Stakeholder Meetings

Two meetings were conducted to obtain broad input from stakeholders related to new indicators (Indicator 7); revisions to the State Performance Plan and updates to the Annual Performance Report. The meetings were held on December 11, 2008 and January 23, 2009. Dr. Kristin Reedy, Director of the Northeast Regional Resource Center attended both sessions, providing an update of SPP/APR requirements, reviewing USDOE determinations of states, and facilitating the revision to targets for Indicator 8 – Parent Involvement.

At each meeting NJOSEP staff distributed a Progress Indicator Chart that listed each indicator for which data was available. The chart indicated whether NJOSEP met the target and reflected how much progress toward the target was achieved. A power point presentation was also distributed which provided additional information about the indicator and the progress/slippage for each indicator.

The agenda for the December 11, 2008 is provided below:

Welcome and Introductions

Roberta Wohle, Director, NJOSEP

Review of NJOSEP Determination

Roberta Wohle

Update of SPP/APR Requirements

Kristin Reedy, Director, Northeast Regional Resource Center

Report of Progress toward SPP/APR Targets

Indicator 1 – Graduation Rates, Indicator 2 – Drop-out Rates

Carol Kaufman, Manager, Bureau of Policy and Planning

Indicator 5 – Least Restrictive Environment – School Age

Carol Kaufman

Indicator 13 – Post Secondary Transition

Peggy McDonald

Robert Haugh, Transition Coordinator

Indicator 15 – General Supervision

Carol Kaufman

Peggy McDonald

Indicator 16 – Complaint Timelines

Carol Kaufman

Indicator 17 – Due Process Timelines

Carol Kaufman

Indicator 18 – Hearing Requests Resolved by Resolution Sessions

Carol Kaufman

Indicator 19 – Mediation Agreements

Carol Kaufman

Indicator 20 – State Reported Data

Carol Kaufman

Lunch

Data Collection Updates

Indicators 3, 4, 6, 7, 8, 9, 10, 11, 12, 14

NJOSEP Staff

Next Meeting Date - January 23, 2009

The following organizations/agencies were in attendance at the December 11, 2008 stakeholder meeting:

- New Jersey Coalition for Inclusive Education
- Statewide Parent Advocacy Network
- New Jersey Developmental Disabilities Council
- New Jersey Protection and Advocacy
- Boggs Center, University of Medicine and Dentistry
- New Jersey Association of Pupil Personnel Administrators
- New Jersey School Boards Association
- 9 Members of the State Special Education Advisory Council (6 Parent Members)

The agenda for the January 23, 2009 included the following:

Welcome and Introductions

Roberta Wohle, Director, NJOSEP

Continued Discussion of Progress toward SPP/APR Targets

Indicator 4A – Suspension/Expulsion

Carol Kaufman, Manager, Bureau of Policy and Planning

Peggy McDonald, Manager, Bureau of Program Accountability

Indicator 7 – Preschool Outcomes

Roberta Wohle on behalf of Barbara Tkach, 619 Coordinator – Preschool Special Education

Indicator 8 – Parent Involvement

Peggy O'Reilly, Manager, Bureau of Program Development

Indicators 9 and 10 – Disproportionality

Roberta Wohle

Peggy McDonald

Indicator 12 – Early Childhood Transition

Carol Kaufman for Barbara Tkach

Peggy McDonald

Indicator 14 – Post Secondary Outcomes

Peggy O'Reilly

Bob Haugh, NJOSEP Transition Coordinator

The following agencies/organizations attended the January 23, 2009 stakeholder meeting:

- New Jersey Coalition for Inclusive Education
- Statewide Parent Advocacy Network (SPAN)
- New Jersey Developmental Disabilities Council
- New Jersey Protection and Advocacy
- Boggs Center, University of Medicine and Dentistry
- New Jersey Association of Pupil Personnel Administrators
- New Jersey School Boards Association
- New Jersey Principals and Supervisors Association
- 8 Members of the State Special Education Advisory Council (6 Parent Members)

Based on the level of performance for two consecutive years for Indicator # 8, Parent Involvement, NJOSEP staff requested that stakeholders consider resetting the targets for the remaining years. In keeping with the NJOSEP practice of setting SPP targets, NJOSEP temporarily left the meeting room while Kristin Reedy, NERRC, facilitated the discussion with the stakeholders, to determine if the targets should be reset. Once stakeholders agreed to reset the targets, Dr. Reedy further facilitated the establishment of these targets (see further discussion – Indicator 8).

Dissemination to the Public

***How and when the State will report annually to the public on ---
The State's Progress and/or Slippage in Meeting the
"Measurable and Rigorous Targets found in the SPP"***

Consistent with the requirements established in the Individuals with Disabilities Education Act (IDEA 2004), NJOSEP made the FFY 2006 New Jersey's State Performance Plan/Annual Performance Plan available to the public as indicated below.

The NJOSEP will use the same mechanisms to report annually to the public on the FFY 2007 SPP/APR regarding the State's progress and/or slippage in meeting the measurable and rigorous SPP Targets.

Public Means, including posting on the Website of the State educational agency:

The SPP and APR were posted on the New Jersey Department of Education's website immediately following the submission to USOSEP on February 1, 2008.

The SPP and APR will be posted on the New Jersey Department of Education's website immediately after the submission to USOSEP on February 2, 2009 at:

<http://www.nj.gov/education/specialed/info/spp/>

NJOSEP will again post the USOSEP response to the SPP/APR submission, that will include USOSEP's determination regarding the State's compliance with the requirements of Part B of the IDEA. This information will be posted on the NJDOE's website at:

<http://www.nj.gov/education/specialed/> and
<http://www.nj.gov/education/specialed/info/spp/>

Distribution to the Media: Upon submission to USOSEP, NJOSEP makes the SPP/APR available to the media through the NJDOE website and refers the press to the SPP/APR website when press inquires are relevant to the SPP indicators.

Distribution through public agencies: NJOSEP distributes a memo to school districts, agencies, organizations and individuals concerned with special education, in accordance with the NJDOE's mass mailing procedures. The memo provides information with regard to: the federal determination regarding the State's implementation of the IDEA; the requirement for State determinations of local districts; and the requirements for annual public reporting of local district performance. The memo includes the SPP/APR website and the website for the USDOE's determination letter.
 (see memo at: <http://www.nj.gov/education/specialed/memos/>)

Dissemination to the Public

Description of How and when the State will Report to the Public on -- *The Performance of Each Local Educational Agency Located in the State on the Targets in the SPP*

Public Means, including posting on the Website of the State Educational Agency:

NJOSEP posted the 2006-2007 local district profiles on November 13, 2008 and notified USOSEP of the posting (see <http://www.nj.gov/education/specialed/info/spp/> for district profiles).

NJOSEP will prepare a profile of each local education agency that details its performance regarding the SPP targets for FFY 2007. The profile will be posted on the NJDOE website at:
<http://www.nj.gov/education/specialed/info/spp/> and <http://www.nj.gov/education/specialed/>.

As required by 300.602(b)(1)(i)(A), the State will report the annual performance of each LEA as soon as possible but no later than 120 days following the submission of the APR.

Distribution to the Media:

The local district profiles will be made available to the Media, through the posting on the NJOSEP website at: <http://www.nj.gov/education/specialed/info/spp/> and <http://www.nj.gov/education/specialed/>.

Distribution through public agencies:

NJOSEP will distribute a mailing to school districts, agencies, organizations and individuals concerned with special education, in accordance with the NJDOE's mass mailing procedures. The memo will announce the posting of the profiles of each local education agency on the NJOEP website.

Required Technical Assistance

As required by section 616(e)(7) and 34 CFR 300.606, NJSOEP notified the public that the Secretary of Education determined that the State was determined to need assistance for two consecutive years and that the Secretary has taken enforcement actions, by advising the State of available sources of technical

assistance related to Indicator 11 (timely initial evaluations), Indicator 15 (timely correction of noncompliance), Indicator 16 (complaint timelines), and Indicator 4A (suspension/expulsion). NJOSEP posted the USDOE determination letter on its website. Additionally, NJOSEP distributed a mailing to school districts, agencies, organizations and individuals concerned with special education, in accordance with the NJDOE's mass mailing procedures. See the following websites.

http://www.nj.gov/education/specialed/info/spp/usdoe_determination08.pdf

<http://www.nj.gov/education/specialed/info/spp/>

<http://www.nj.gov/education/specialed/memos/>

The technical assistance sources from which the State received technical assistance and the actions the State took as a result of that technical assistance can be found in the “Overview of the Annual Performance Report Development” for Indicators 4A, 11, 15 and 16.

Revisions to the SPP	
Indicator 3 State Assessments	AYP Annual Measurable Objectives
Indicator 7 Preschool Outcomes	Updated Data
Indicator 8 Parent Involvement	Change in State Targets
Indicator 14 Secondary Transition	Updated Improvement Activity
Indicator 17 Due Process Timelines	Updated Improvement Activities

These revisions have been incorporated into the State Performance Plan which can be found on the NJDOE website at: <http://www.nj.gov/education/specialed/info/spp/>

Overview to State Performance Plan and Annual Performance Report Development FFY 2008

Description of the Process the State Used to Develop the SPP/APR

How the State obtained “broad input” from stakeholders related to new indicators and revisions to the SPP

Stakeholder Meeting

A meeting was conducted on January 21, 2010 to obtain “broad input” from stakeholders regarding NJOSEP’s progress/slippage in relation to each of the SPP indicators; to inform them of USOSEP’s revisions to several of the SPP indicators and/or measurements; and to review baseline data and set targets for Indicator # 7 – Preschool Outcomes. Additionally, NJOSEP obtained input from the stakeholders regarding revision to targets for Indicator # 19 – Mediation, seeking to revise the target within a range, as permitted by USOSEP. Carolyn Hayer, from the Statewide Parent Advocacy Network (SPAN), and a member of the NJOSEP Special Education Advisory Committee, facilitated the target setting process for Indicators # 7 and # 19.

NJOSEP staff distributed a Progress Indicator Chart that listed each indicator, the State target for FFY 2008 for each indicator, whether NJOSEP met the target, and the extent of progress/slippage in relation to the target. A power point presentation was also distributed which provided additional information about the indicator and the progress/slippage for each indicator.

The agenda for the January 21, 2010 stakeholder meeting is provided below:

**New Jersey Department of Education
Office of Special Education Programs
State Performance Plan/Annual Performance Report
Stakeholder Meeting
January 21, 2010**

Agenda

- 9:30 a.m. Welcome, Introductions, Review of Agenda**
Roberta Wohle, Director, Office of Special Education Programs
- 9:45 a.m. Review of Progress toward Targets**
Indicator 16 - Complaint Timelines
Indicator 17 - Due Process Timelines
Indicator 18 - Hearing Requests Resolved by Resolution Sessions
Indicator 19 - Mediation Agreements, Range Setting Discussion
John Worthington, Coordinator of Policy Development
Cynthia Hoenes, Coordinator of Due Process

10:30 a.m. Target Setting – Indicator 7, Preschool Outcomes
Barbara Tkach, 619 Coordinator

12:00 p.m. Lunch

12:30 p.m. Review of Progress toward Targets
Indicator 1 - Graduation Rate
Indicator 2 - Drop Out Rate
Indicator 3 - Assessment
Indicator 5 - School Age LRE
Indicator 8 - Parent Involvement
Indicator 14- Post Secondary Transition Outcomes
Peggy O'Reilly, Manager, Bureau of Program Development
Peggy McDonald, Manager, Bureau of Program Accountability

1:30 p.m. Review of Progress toward Targets
Indicator 4A - Suspension/Expulsion
Indicator 9 - Disproportionality - Child with a Disability
Indicator 10 - Disproportionality - Eligibility Category
Indicator 11 - Child Find
Indicator 12 - Early Childhood Transition
Indicator 13 - Secondary Transition
Indicator 15 - Identification and Correction of Noncompliance
Peggy McDonald, Manager, Bureau of Program Accountability

The following organizations/agencies were represented at the January 21, 2010 stakeholder meeting:

- Disability Rights New Jersey
- New Jersey Association of Pupil Personnel Administrators
- New Jersey Department of Health and Senior Services
- New Jersey Juvenile Justice Commission
- New Jersey Association of Pupil Services Administrators
- New Jersey Principal and Supervisors Association
- New Jersey Coalition for Inclusive Education
- New Jersey School Boards Association
- New Jersey Department of Children And Families, Office of Education
- Statewide Parent Advocacy Network

10 members of the State Special Education Advisory Council participated in the stakeholder meeting, including 4 parent members and 1 student representative.

Dissemination of the SPP/APR to the Public
How and when the State will report annually to the public on ---
The State's Progress and/or Slippage in Meeting the
"Measurable and Rigorous Targets found in the SPP"

Consistent with the requirements established in the Individuals with Disabilities Education Act (IDEA 2004), NJOSEP made New Jersey's FFY 2007 State Performance Plan/Annual Performance Report available to the public as indicated below.

The NJOSEP will use the same mechanisms to report annually to the public on the FFY 2008 SPP/APR regarding the State's progress/slippage in meeting the measurable and rigorous SPP targets.

Public Means, including posting on the Website of the State education agency: The SPP and APR were posted on the New Jersey Department of Education's website immediately following their submission to USOSEP on February 2, 2009 and, again, on April 7, 2009, upon the submission to USOSEP with the requested clarifications. The SPP/APR were posted at: <http://www.nj.gov/education/specialed/info/spp/spr.pdf>.

The SPP and APR will be posted on the New Jersey Department of Education's website immediately after the submission to USOSEP on February 1, 2010 and again, if needed, in April 2010, upon the submission to USOSEP with any requested clarification. The SPP/APR will be found at: <http://www.nj.gov/education/specialed/info/spp/spr.pdf>

NJOSEP also posted the USOSEP response to the SPP/APR FFY 2007 submission that included USOSEP's determination regarding the State's compliance with the requirements of Part B of the IDEA. The USOSEP's response to the NJOSEP's SPP/APR FFY 2008 submission will again be posted at: <http://www.nj.gov/education/specialed/info/spp/spr.pdf>

Distribution to the Media: With regard to the FFY 2007 SPP/APR submission, the Governor's Office issued a press release regarding USOE's determination of NJOSEP's performance. Annually, upon submission to the USOSEP, NJOSEP makes the SPP/APR available to the media through the NJDOE website and refers to the press to the SPP/APR website when press inquires are relevant to the SPP indicators.

Distribution to public agencies: As reflected in the February 2009 minutes of the State Special Education Advisory Council, the Council was informed of the posting of the SPP/APR on the NJOSEP website (see minutes at: <http://www.nj.gov/education/sseac/minutes/2009/02.pdf>). As reflected in the June 2009 minutes of the SSEAC, the Council was informed of the USOSEP determination regarding the FFY 2007 SPP/APR submission and the posting of the determination letter from the USOE (see minutes at: <http://www.nj.gov/education/sseac/minutes/2009/02.pdf>). The SPP/APR is referenced in correspondence regarding the NJOSEP self-assessment/monitoring process, monitoring reports, targeted reviews for specific SPP indicators, and data collections specific to SPP indicators.

With regard to the FFY 2008, NJOSEP will distribute a memo to school districts, agencies, organizations and individuals concerned with special education, in accordance with the NJDOE's mass mailing procedures. The memo will provide information regarding the posting of the SPP/APR, the federal determination regarding the State's implementation of IDEA; the requirement for State determinations of local districts; and the requirements for annual public reporting of local districts performance and the posting of local district profiles.

Dissemination to the Public**Description of How and when the State will Report Annually to the Public on:
*The Performance of Each Local Educational Agency
Located in the State on the Targets in the SPP***

Public Means, including posting on the Website of the State Educational Agency: NJOSEP posted the 2007-2008 local district profiles on June 1, 2009 and notified USOSEP of the posting (see <http://www.nj.gov/education/specialed/info/spp/> for district profiles).

NJOSEP will prepare a profile of each local education agency that details its performance in relation to the SPP targets for FFY 2008. The profile will be posted on the NJDOE website at: <http://www.nj.gov/education/specialed/info/spp/> and <http://www.nj.gov/education/specialed/>

As required by 300.602(b)(1)(i)(A), the State will report the annual performance of each LEA as soon as possible but no later than 120 days following the submission of the APR.

Distribution to the Media: The local district profiles will be made available to the Media, through the posting on the NJOSEP website at: <http://www.nj.gov/education/specialed/info/spp/> and <http://www.nj.gov/education/specialed/>

Distribution through public agencies: NJOSEP will distribute a mailing to school districts, agencies, organizations and individuals concerned with special education, in accordance with the NJDOE's mass mailing procedures. The memo will announce the posting of the profiles of each local education agency on the NJOEP website.

Overview to State Performance Plan and Annual Performance Report Development FFY 2009 Description of the Process the State Used to Develop the SPP/APR

How the State obtained “broad input” from stakeholders related to new indicators and revisions to the SPP

Stakeholder Meeting

A meeting was conducted on January 14, 2011 to report on NJOSEP's progress/slippage in relation to each of the SPP indicators; to obtain input and recommendations from stakeholders for targets for the two year extension of the SPP process; and to review baseline data and set targets for Indicator # 14 Post School Outcomes. Kristin Reedy, Director of the Northeast Regional Resource Center (NERRC), and David Phillips, Senior Program Associate, (NERRC), facilitated target setting activities with the group.

NJOSEP staff distributed a list of all SPP indicators and copies of the parent survey in English and Spanish. A power point presentation provided targets, and target data for FFY 2009 and trend data for used during target setting activities.

The agenda for the January 14, 2011 stakeholder meeting is provided below:

New Jersey Department of Education Office of Special Education Programs State Performance Plan/Annual Performance Report Stakeholder Meeting January 14, 2011 Agenda

9:30 a.m.	Welcome, Introductions and Review of Agenda <i>Peggy McDonald, Manager, Bureau of Program Accountability</i> <i>Melanie O'Dea, Acting Manager, Bureau of Program Development</i> <i>John Worthington, Acting Manager, Bureau of Policy & Planning</i> <i>Kristen Reedy, Director, Northeast Regional Resource Center (NERRC)</i>
9:45 a.m.	Review of Progress toward Targets and Discussion of SPP Targets for Two Year Extension
	Indicator 16 Complaint Timelines
	Indicator 17 Due Process Timelines
	Indicator 18 Hearing Requests Resolved by Resolution Sessions
	Indicator 19 Mediation Agreements, Range Setting Discussion <i>John Worthington, Acting Manager, Bureau of Policy & Planning</i>
10:30 a.m.	Review of Progress toward Compliance Targets and Discussion of SPP Targets for Two Year Extension

Indicator 4B Suspension/Expulsion - Race and Ethnicity
 Indicator 9 Disproportionality - Child with a Disability
 Indicator 10 Disproportionality - Eligibility Category
 Indicator 11 Child Find
 Indicator 12 Early Childhood Transition
 Indicator 13 Secondary Transition
 Indicator 15 Identification and Correction of Noncompliance
Peggy McDonald, Manager, Bureau of Program Accountability

11:30 a.m. Review of Progress toward Targets and Discussion of SPP Targets for Two Year Extension

Indicator 8 Parent Involvement
Peggy McDonald, Manager, Bureau of Program Accountability

12:00 p.m. Lunch

12:30 p.m. Review of Progress toward Targets and Discussion of SPP Targets for Two Year Extension

Indicator 5 School Age LRE
 Indicator 3 Assessment
 Indicator 4A Suspension/Expulsion

Indicator 1 Graduation Rates
 Indicator 2 Drop Out Rates
 Indicator 14 Post School Outcomes
Peggy McDonald, Manager, Bureau of Program Accountability
Kristen Reedy, Director, Northeast Regional Resource Center (NERRC)

2:00 p.m. Indicator 7 Preschool Outcomes
Barbara Tkach, 619 Coordinator

The following organizations/agencies were represented at the January 14, 2011 stakeholder meeting:

- Disability Rights New Jersey
- New Jersey Association of Pupil Personnel Administrators
- New Jersey Department of Health and Senior Services
- New Jersey Juvenile Justice Commission
- New Jersey Association of Pupil Services Administrators
- New Jersey Principal and Supervisors Association
- New Jersey Coalition for Inclusive Education
- New Jersey School Boards Association
- New Jersey Department of Children And Families, Office of Education
- Statewide Parent Advocacy Network

10 members of the State Special Education Advisory Council participated in the stakeholder meeting, including 4 parent members and 1 student representative.

Dissemination of the SPP/APR to the Public
How and when the State will report annually to the public on ---
The State's Progress and/or Slippage in Meeting the

"Measurable and Rigorous Targets found in the SPP"

Consistent with the requirements established in the Individuals with Disabilities Education Act (IDEA 2004), NJOSEP made New Jersey's FFY 2008 State Performance Plan/Annual Performance Report available to the public as indicated below.

The NJOSEP will use the same mechanisms to report annually to the public on the FFY 2009 SPP/APR regarding the State's progress/slippage in meeting the measurable and rigorous SPP targets.

Public Means, including posting on the Website of the State education agency: The SPP and APR will be posted on the New Jersey Department of Education's website immediately after the submission to USOSEP on February 1, 2011, and again in April 2011, following the submission to USOSEP with any requested clarifications. The SPP/APR will be posted at: <http://www.nj.gov/education/specialed/info/spp/>.

The SPP and APR will be posted on the New Jersey Department of Education's website immediately after the submission to USOSEP on February 1, 2011 and again, if needed, in April 2011, upon the submission to USOSEP with any requested clarification. The SPP/APR will be found at: <http://www.nj.gov/education/specialed/info/spp/spr.pdf>

NJOSEP also posted the USOSEP response to the SPP/APR FFY 2008 submission that included USOSEP's determination regarding the State's compliance with the requirements of Part B of the IDEA. The USOSEP's response to the NJOSEP's SPP/APR FFY 2009 submission will be posted at: <http://www.nj.gov/education/specialed/info/spp/spr.pdf>

Distribution to the Media: With regard to the FFY 2008 SPP/APR submission, the Governor's Office issued a press release regarding USOSEP's determination of NJOSEP's performance. Annually, upon submission to the USOSEP, NJOSEP makes the SPP/APR available to the media through the NJDOE website and refers to the press to the SPP/APR website when press inquiries are relevant to the SPP indicators.

Distribution to public agencies: As reflected in the February 2010 minutes of the State Special Education Advisory Council (SSEAC), the Council was informed of the posting of the SPP/APR on the NJOSEP website (see minutes at: <http://www.nj.gov/education/sseac/minutes/2009/02.pdf>). As reflected in the June 2010 minutes of the SSEAC, the Council was informed of the USOSEP determination regarding the FFY 2008 SPP/APR submission and the posting of the determination letter from the USOSEP (see minutes at: <http://www.nj.gov/education/sseac/minutes/2009/02.pdf>). The SPP/APR is referenced in correspondence regarding the NJOSEP self-assessment/monitoring process, monitoring reports, targeted reviews for specific SPP indicators, and data collections specific to SPP indicators.

With regard to the FFY 2009, NJOSEP will distribute a memo to school districts, agencies, organizations and individuals concerned with special education, in accordance with the NJDOE's mass mailing procedures. The memo will provide information regarding the posting of the SPP/APR, the federal determination regarding the State's implementation of IDEA; the requirement for State determinations of local districts; and the requirements for annual public reporting of local districts performance and the posting of local district profiles.

Dissemination to the Public**Description of How and when the State will Report Annually to the Public on:
The Performance of Each Local Educational Agency
Located in the State on the Targets in the SPP**

Public Means, including posting on the Website of the State Educational Agency: NJOSEP posted the 2008-2009 local district profiles on June 1, 2010 and notified USOSEP of the posting (see <http://www.nj.gov/education/specialed/info/spp/> for district profiles).

NJOSEP will prepare a profile of each local education agency that details its performance in relation to the SPP targets for FFY 2009. The profiles will be posted on the NJDOE website at: <http://www.nj.gov/education/specialed/info/spp/> and <http://www.nj.gov/education/specialed/>

As required by 300.602(b)(1)(i)(A), the State will report the annual performance of each LEA as soon as possible but no later than 120 days following the submission of the APR.

Distribution to the Media: The local district profiles will be made available to the Media, through the posting on the NJOSEP website at: <http://www.nj.gov/education/specialed/info/spp/> and <http://www.nj.gov/education/specialed/>

Distribution through public agencies: NJOSEP will distribute a mailing to school districts, agencies, organizations and individuals concerned with special education, in accordance with the NJDOE's mass mailing procedures. The memo will announce the posting of the profiles of each local education agency on the NJOSEP website.

Revisions to the SPP

The SPP was revised, using the SPP template provided by USOSEP, specifying for each indicator, annual targets (reflecting improvement over the State's baseline data for that indicator), and improvement activities for each through FFY 2012 (July 1, 2012 through June 30, 2013).

The revised SPP includes baseline data, targets and improvement activities for Indicators 4B, 13 and 14 (using the SPP template provided by USOSEP).

Indicator # 1: Graduation Rates

Part B State Performance Plan (SPP) for 2005-2012

Revised 2/1/11 to Reflect FFY 2011 and FFY 2012 SPP/APR Extension

Overview of the State Performance Plan Development:

NJOSEP staff reviewed the revisions to this indicator with the stakeholders on January 21, 2010. Specifically, the stakeholders were informed that the calculation of graduation rates for all students will be changing in accordance with the revised Title I regulations under No Child Left Behind. By the 2010-11 school year, states must use the new adjusted cohort graduation rate.

NJOSEP staff explained that NJDOE is currently in a **transition period** preparing to meet the new reporting requirements for the adjusted cohort graduation rate in 2010-2011, to be reported in 2012. The stakeholders were informed that on December 21, 2009, NJDOE submitted a proposal for peer review to the USDOE, Office of Elementary and Secondary Education Programs, regarding the methodology and timelines to be used during the transition period. As of this date, the NJDOE is awaiting a response to the proposal from the USDOE. The NJOSEP will establish a new baseline and revise targets when the Title I adjusted cohort graduation rate goes into effect in 2010-2011.

Stakeholders were also informed that for FFY 2008, the Consolidated State Performance Report (CSPR) submitted in December, 2009 reported a graduation rate for all students (95.9%), but not for students with disabilities. Because the CSPR did not report a graduation rate for students with disabilities, NJOSEP is using prior year's graduation rate calculation to compare to the previously established SPP target. Using this calculation and the previously established SPP target, NJOSEP staff informed stakeholders that NJOSEP met the graduation target for students with disabilities FFY 2008.

FFY 2009 Update to State Performance Plan Development

A stakeholder meeting was convened on January 14, 2011. NJOSEP staff informed stakeholders that New Jersey is in a transition period preparing to meet the new reporting requirements for the adjusted cohort graduation rate for graduates of 2010-2011. As a result of this, stakeholders were informed that USOSEP advised NJOSEP to report in the APR for FFY 2009 the graduation rate for students with disabilities reported for 2008-2009. This rate was collected by NJOSEP through the Report of Children with Disabilities Exiting Special Education. Stakeholders agreed to maintain the FFY 2010 graduation target in the SPP for FFY 2011 and FFY 2012 pending finalization of the new graduation rate for all students. NJOSEP told stakeholders that the extended targets would be revised at the stakeholder meeting in January 2012 based on the graduation data collected for all students for the 2010-2011 school year, the baseline year for the adjusted cohort rate. Improvement activities were discussed. Stakeholders were informed that these activities are related to improving performance on Indicators 1, 2, 13 and 14.

Monitoring Priority: Monitoring Priority: FAPE in the LRE
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Indicator #1: Percent of youth with IEPs graduating from high school with a regular diploma.

(20 U.S.C. 1416 (a)(3)(A))

Measurement

Measurement: States must report using the graduation rate calculation and timeline established by the Department under the ESEA.

According to the Part B Measurement above, states are required to report using the same data used for reporting to the Department under Title 1 of the Elementary and Secondary Education Act (ESEA). **New Jersey's Consolidated State Performance Report (CSPR), Part I, submitted in December, 2010 reported a graduation rate for all students (94.3%), but did not report a graduation rate for students with disabilities.**

NJDOE is currently in a **transition period** preparing to meet the new reporting requirements for the adjusted cohort graduation rate in 2010-2011, to be reported in 2012. On December 21, 2009, NJDOE submitted a proposal for peer review to USDOE, Office of Elementary and Secondary Education Programs regarding the methodology and timelines to be used during the transition period. As of this date, the NJDOE is awaiting a response to the proposal from the USDOE.

NJDOE will **establish a new baseline and revise targets** when the Title I adjusted cohort graduation rate goes into effect in 2010-2011.

Because New Jersey has not yet implemented an adjusted cohort graduation rate, the graduation rate for students with disabilities, reported in the FFY 2008 and FFY 2009 SPP/APR, was calculated as reported previously in the New Jersey SPPs and APRs submitted for FFY2005 to FFY 2008. The graduation rate reported in the FFY 2009 APR was calculated using data from 2008-2009. This rate is being used to determine progress in relation to the established SPP target for FFY2008.

Methodology used to determine the graduation rate for youth with IEPs.

Data are collected annually through the Report of Children with Disabilities Exiting Special Education to determine the graduation rate of students with disabilities. Data regarding the number of students with disabilities who graduate are collected by dividing the total number of students with disabilities ages 17 – 21 graduating by the total number of students with disabilities graduating plus the number of dropouts for the current year and the total number of students with disabilities who dropped out (ages 14 – 16) within the three year cohort for the students.

Overview of Issue/Description of System or Process: Graduation

Description of the conditions youth must meet in order to graduate with a regular diploma and, if different, the conditions that youth with IEPs must meet in order to graduate with a regular diploma. If there is a difference explain why.

There is only one State-endorsed high school diploma in New Jersey for all students, including students with disabilities. In order to graduate with a State-endorsed diploma in New Jersey, students must satisfy several requirements. Students must participate in a course of study consisting of a specified number of credits in courses designed to meet all of New Jersey's Core Curriculum Content Standards. State regulations at *N.J.A.C. 6A:8-5.1(a)1* delineate minimum required credit totals for language arts, mathematics, science, social studies, health and physical education, visual or performing arts, world languages, technological literacy and career education. Methods for meeting the minimum credit requirements are also set forth at *N.J.A.C. 6A:8-5.1*.

Local attendance and other locally established requirements must also be met in order to receive a State-endorsed diploma, as well as all statutorily mandated graduation requirements. In addition, students must satisfy the statewide assessment requirements in order to receive a State-endorsed diploma.

State law requires that students with IEPs must meet all of the graduation requirements detailed above, unless exempted from a specific requirement through the IEP process. In such an instance, the student must satisfy graduation standards through alternate proficiencies as specified in his or her IEP.

Baseline Data for 2004-2005:

In 2004-2005, 91% of all students graduated with a State-endorsed diploma. For students with IEPs, the graduation rate was 74.99%. New Jersey's rate of graduation for students with IEPs, while substantial, is below that of all students in New Jersey. The State will continue to work to increase graduation rates of students with IEPs.

Discussion of Baseline Data: The methodology for calculating the graduation rate for all students and the graduation rate for students with IEPs is the same, but the population of "all students" is determined by grade level and the population of "students with IEPs" is determined by age. For all students, the graduation rate is determined by dividing the total number of students graduating by the total number of students graduating plus dropouts by grade level for the four year cohort. For students with IEPs, graduation rates are determined utilizing student age to determine the number of students graduating between the ages of 17 and 21 over the total graduates plus current dropouts, ages 17-21, and dropouts, ages 14-16, in the students' cohort.

FFY	Measurable and Rigorous Target
2005 (2005-2006)	76% of students with IEPs will graduate with a regular diploma.
2006 (2006-2007)	77% of students with IEPs will graduate with a regular diploma.
2007 (2007-2008)	78% of students with IEPs will graduate with a regular diploma.
2008 (2008-2009)	79% of students with IEPs will graduate with a regular diploma.
2009 (2009-2010)	80% of students with IEPs will graduate with a regular diploma.
2010 (2010-2011)	81% of students with IEPs will graduate with a regular diploma.
2011 (2011-2012)	81% of students with IEPs will graduate with a regular diploma.
2012 (2012-2013)	81% of students with IEPs will graduate with a regular diploma.

Improvement Activities/Timelines/Resources:

NOTE: Activities that occurred in 2008-2009 that are ongoing and will be continued through 2012-2013 are represented by the symbol *.**

The following activities are relevant to the indicators linked to transition, specifically Indicators 1, 2, 13, and 14.

Establishment of Adjusted Cohort Graduation Rate: During the transition period, NJOSEP staff will collaborate with staff from Title I and other units responsible for collecting and reporting graduation and dropout data. Meetings will be scheduled to review progress in establishing the adjusted cohort graduation rate according to the new requirements.

Policy/Regulation: NJOSEP has continued to require that transition services be addressed in students' Individualized Education Programs, beginning at age 14. Specifically, N.J.A.C. 6A: 14 requires that beginning with the IEP in place for the school year when the student will turn age 14, or younger if determined appropriate by the IEP team, and updated annually, the IEP must include:

- a statement of the student's strengths, interests, and preferences;
- identification of a course of study and related strategies and/or activities that are consistent with the student's strengths, interests, and preferences and are intended to assist the student in developing or attaining postsecondary goals related to training, education, employment and, if appropriate, independent living;
- as appropriate, a description of the need for consultation from other agencies that provide services to individuals with disabilities including, but not limited to, the Division of Vocational Rehabilitation Services in the Department of Labor; and
- as appropriate, a statement of any needed interagency linkages and responsibilities.

(Activity 2008-2009)***

Self-Assessment/Monitoring: Effective February 2007, NJOSEP realigned its self-assessment/monitoring system to be consistent with the SPP indicators. Districts are selected for monitoring based on federal monitoring priorities – placement in the least restrictive environment and disproportionate representation of specific racial/ethnic groups in special education or through random selection. The new system links compliance, data and programming by requiring districts to review compliance in areas related to SPP indicators and to examine their data compared to state targets. Following the review conducted through self-assessment, districts must identify activities to correct noncompliance and activities for continuous improvement toward state SPP targets.

Monitoring activities in the areas of graduation rate, dropout rate and transition service needs are linked in the self-assessment. Each district identified for self-assessment reviews their graduation and dropout rates against the state annual SPP targets, completes a protocol to identify needs for continuous improvement in transition planning and reviews related compliance requirements. Federal requirements related to SPP Indicators 1 and 2 are reviewed during onsite monitoring visits if a district in the self-assessment cohort did not meet the SPP target for Indicator 1 and/or Indicator 2. Noncompliance with requirements related to SPP Indicators 1, 2, 13 and 14 must be corrected within one year of identification. **(Activity 2008-2009)*****

Targeted Technical Assistance for Self-Assessment Districts: NJOSEP's monitoring unit identified districts required to participate in the 2008-2009 self-assessment/monitoring process, whose graduation and/or dropout data were below state targets. NJOSEP monitors and program development staff offered assistance to these districts to review transition requirements and best practices in preparation for their self-assessment and development of improvement plans regarding transition. During this period, NJOSEP conducted individualized technical assistance sessions for twenty-seven district teams including: special education administrators, general education administrators, child study team members, parents, guidance personnel and/or transition coordinators. NJOSEP reviewed districts' IEPs prior to the sessions to develop specific recommendations for improvement. These suggestions were provided to session participants along with discussion and resources intended to clarify regulatory requirements and describe effective practices to enhance transition planning and services. Using the transition sections of the self-assessment and onsite monitoring documents developed by NJOSEP as guides for the discussion, teams learned about student, family and transdisciplinary school involvement in IEP development and transition planning; interagency resources and linkages; and preparation for integrated employment, independent living, and postsecondary education. As a result of the individualized technical

assistance sessions, participating districts have an increased understanding of how to develop compliant transition sections of IEPs. **(Activity 2008-2009)*****

Transition to Adult Life Targeted Review Teleconferences: Two teleconferences regarding transition planning were held for districts selected for the 2009-2010 SPP Indicator 13 compliance review. Federal requirements related to Indicators 1, 2, 13, and 14 were reviewed. Resources detailing best practices in transition planning were disseminated and aligned with the elements of the checklist used for New Jersey's Indicator 13 review. The checklist is based on the checklist developed for states by the National Secondary Transition Technical Assistance Center. Districts were provided with a process for self-review to ensure compliance with Indicator 13 and appropriate transition planning for students with disabilities. **(Activity 2009-2010)*****

State Level Capacity Building: NJOSEP, through its "transition-related" initiatives, has emphasized the importance of linking school experiences to post-school education, employment, self-advocacy and independence. The development and implementation of these initiatives are frequently conducted in collaboration with other offices/units within the Department of Education as well as agencies outside of the Department. This focus is reflected in the activities listed below. **(Activity 2009-2010)*****

a. Statewide Technical Assistance and Training: To promote knowledge of effective practices for transition from school to adult life for students with disabilities, NJOSEP organized and provided statewide trainings and provided technical assistance on a proactive and on a request basis. Technical assistance activities were conducted for school districts, other offices within the Department of Education, other agencies, professional organizations, and parent organizations to clarify regulatory requirements and policy, share promising practices and resources, and provide guidance on transition program development and an improvement planning process. **(Activity: 2008-2009)*****

During the 2008-2009 and 2009-2010 school years, statewide proactive training sessions were conducted. Over 100 educators and parents from secondary programs attended each proactive session. Participants in transition training gained knowledge of providing appropriate transition planning and services, and how to develop IEPs that addressed compliance requirements as well as best practices in transition planning. **(Activity: 2008-2009)*****

b. Student Leadership "Dare to Dream" Conferences: To promote self-advocacy and self-determination among New Jersey youth with disabilities, NJOSEP organized and conducted five Student Leadership "Dare to Dream" conferences for students with disabilities in the spring of 2008. These conferences were held regionally throughout the state on college campuses. Approximately 1,400 high school students, parents, and school personnel were provided training and guidance in the areas of self-advocacy and legal rights and responsibilities. The conferences featured presentations by youth and young adults with disabilities. **(Activity: 2008-2009)**

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g. Interagency Collaboration - Centers for Independent Living - Promoting Self Advocacy: To promote self-advocacy for students and families, NJOSEP continued to support the Centers for Independent Living. NJOSEP entered into an interagency cooperative agreement with the New Jersey Department of Labor, Division of Vocational Rehabilitation Services, enabling each of the twelve Centers for Independent Living in New Jersey to continue implementation of the *Promoting Self-Advocacy* project. This project is focused on the following: 1) increasing the number of students, families, and school personnel that are aware of and use the resources and services of the Centers for Independent Living in New Jersey; 2) increasing students' knowledge of rights, responsibilities and resources; 3) increasing students' use of self-advocacy, self-determination, and self-help skills in their daily lives; and 4) increasing students' participation and decision making in the transition planning process with specific regard to postsecondary resources, services and linkages. Each Center for Independent Living offers self-advocacy, self-determination, and self-help programs and services to students with disabilities, their families and schools using current and effective materials and resources. During the project period ending June 30, 2008, the *Promoting Self-Advocacy* project assisted over 896 students (ages 14-21) in developing and implementing an individualized plan to increase self-advocacy skills in the areas of independent living, community participation, employment, and/or recreation. An additional 1,552 students received information and referral services during this period. During the project period ending September 30, 2009, the *Promoting Self-Advocacy* project assisted over 1,154 students (ages 14-21) in developing and implementing an individualized plan to increase self-advocacy skills in the areas of independent living, community participation, employment, and/or recreation. An additional 4,622 students received information and referral services during this period.

Outcomes from the project include: increased numbers of students and school staff who have become aware of and use the services provided by the Centers for Independent Living; increased

collaboration amongst the Centers for Independent Living throughout the State; and increased collaboration with school districts as evidenced by invitations to project staff into their classrooms to provide direct instruction to students with disabilities on their rights, responsibilities and resources. **(Activity: 2006-2007)*****

h. Post-School Outcome Technical Assistance: In February 2009, NJOSEP conducted a technical session for the 50 school districts (Cohort III) selected for participation in the post-secondary data collection. Districts were required to identify students with disabilities who have exited during the 2007-08 school year. This includes 2008 graduates, students who will be aging out of school and students who have dropped out, including students who have moved, but not known to be continuing. The districts were required to collect contact information on all exiters and to notify the students and their parents that they will be contacted within a year to determine the student's post-school status. A copy of the survey was disseminated to the school district representatives. Staff from the districts conducted follow-up interviews with former students between April and August, 2009 and forwarded all surveys to NJOSEP. Throughout the year assistance was provided to all districts participating in the study. In addition, individualized technical assistance was provided to selected districts through on-site meetings and progress monitoring to improve response rates. NJOSEP's technical assistance contributed to the 73% response rate for the study. Study results were disseminated to each participating district and used for district and state level improvement planning. For more detailed information, see APR Indicator #14 Post School Outcomes. **(Activity: 2008-2009)*****

Similarly in April 2010, NJOSEP conducted a technical assistance session for the 75 school districts (Cohort IV) selected for participation in the post-school outcomes data collection. NJOSEP's technical assistance contributed to the 75.6% statewide response rate for cohort IV districts. Study results will be disseminated to each participating district and used for district and state level improvement planning. For more detailed information, see APR Indicator #14 Post School Outcomes. **(Activity: 2009-2010)*****

i. Interagency Collaboration - Statewide Parent Advocacy Network Transition Teleconferences: To promote understanding of topics related to transition among parents of students with disabilities, NJOSEP collaborated with the Statewide Parent Advocacy Network to organize and provide two statewide teleconferences titled *A Family's Guide to Community-Based Instruction for Students with Disabilities* and *Structured Learning Experiences: A Collaborative Approach Among Educators, Parents, Students and the Workplace*. The presentation on Community-Based Instruction (CBI) included the following topics: definition of CBI, reasons for teaching in the community, support for schools that provide CBI, and family members' role in supporting CBI. 53 parents, school administrators, and educators participated in the CBI teleconference. The presentation on Structured Learning Experiences (SLE) included the following topics: Definition of SLE, Responsibilities of school districts, students, parents, and employers, and Benefits for students who participate in SLE. 39 parents, school administrators, and educators participated in the SLE teleconference. Both presentations are available for download on the web at www.spannj.org/resources/index.htm#Transition. **(Activity: 2008-2009 and 2009-2010)**

j. Interagency Collaboration – The Office of Special Education Programs collaborated with the New Jersey Division of Vocational Rehabilitation Services and developed *Guidelines for School Personnel Working with Transition Students*. In addition, *A Myths & Facts* document was developed on Vocational Rehabilitation Services and disseminated to the districts. **(Activity: 2009-2010)*****

k. Interagency Collaboration – The NJ Division of Developmental Disabilities (DDD) in collaboration with the Office of Special Education Programs and the Family Support Center of New Jersey developed a document titled *Myths & Facts* that provides comprehensible information concerning DDD services for youth in transition and addresses common misconceptions. This resource is also available on the DDD website. **(Activity: 2009-2010)*****

Indicator #2: Drop-Out Rates

Part B State Performance Plan (SPP) for 2005-2012

Revised 2/1/11 to Reflect FFY 2011 and FFY 2012 SPP/APR Extension

Overview of the State Performance Plan Development:

NJOSEP staff reviewed the revisions to this indicator with the stakeholders on January 21, 2010. Specifically, the stakeholders were informed that the calculation of dropout rate for all students will be changing in accordance with the revised Title I regulations under No Child Left Behind. By the 2010-11 school year, states must report using the dropout data used in the ESEA graduation calculation.

NJOSEP staff explained that NJDOE is currently in a **transition period** preparing to meet the new reporting requirements for the adjusted cohort graduation rate in 2010-2011, to be reported in 2012. On December 21, 2009, NJDOE submitted a proposal for peer review to USDOE, Office of Elementary and Secondary Education Programs regarding the methodology and timelines to be used during the transition period. As of this date, the NJDOE is awaiting a response to the proposal from the USDOE. The NJOSEP will establish a new baseline and revise targets for dropout rate when the Title I adjusted cohort graduation rate goes into effect in 2010-2011.

Stakeholders were informed also, that for FFY 2008, the Consolidated State Performance Report (CSPR) submitted in December, 2009 reported dropout rate for students with disabilities. In addition to the dropout rate reported in the CSPR, for the purpose of comparison, NJDOE also calculated a dropout rate for students with disabilities according to the calculation previously reported in the New Jersey State Performance Plan and Annual Performance Reports submitted for FFY2005, 2006 and 2007. This dropout rate was used to determine progress in relation to the previously established SPP target for FFY 2008. New Jersey met the target for dropout for FFY 2008 using the SPP calculation from prior years and the previously established SPP target.

Stakeholder Meeting January 14, 2011

A stakeholder meeting was convened on January 14, 2011. NJOSEP staff informed stakeholders that New Jersey is in a transition period preparing to meet the new reporting requirements for the adjusted cohort graduation rate for graduates of 2010-2011. As a result of this, stakeholders were informed that USOSEP advised NJOSEP to report in the APR for FFY 2009 the graduation and dropout rates for students with disabilities reported for 2008-2009. These rates were collected by NJOSEP through the Report of Children with Disabilities Exiting Special Education. Stakeholders agreed to maintain the FFY 2010 dropout target in the SPP for FFY 2011 and FFY 2012 pending finalization of the new graduation rate for all students. NJOSEP told stakeholders that the extended targets would be revised at the stakeholder meeting in January 2012 based on the graduation and dropout data collected for all students for the 2010-2011 school year, the baseline year for the adjusted cohort rate. Improvement activities were discussed as part of a review of all improvement activities designed to facilitate transition to adult life for students with disabilities. Stakeholders were informed that these activities are related to improving performance on Indicators 1, 2, 13 and 14.

Monitoring Priority: FAPE in the LRE

Indicator #2: Percent of youth with IEPs dropping out of high school.

(20 U.S.C. 1416 (a)(3)(A))

Revised Measurement

Measurement: States must report using the dropout data used in the ESEA graduation rate calculation and follow the timeline established by the Department under the ESEA.

According to the Part B Measurement above, states are required to report using the same data used for reporting to the Department under Title 1 of the Elementary and Secondary Education Act (ESEA). NJDOE is currently in a **transition period** preparing to meet the new reporting requirements for the adjusted cohort graduation rate in 2010-2011, to be reported in 2012. On December 21, 2009, NJDOE submitted a proposal for peer review to the USDOE, Office of Elementary and Secondary Education Programs regarding the methodology and timelines to be used during the transition period. As of this date, the NJDOE is awaiting a response to the proposal from the USDOE. **NJDOE will establish a new baseline and revise targets when the Title I adjusted cohort graduation rate goes effect in 2010-2011.**

New Jersey's Consolidated State Performance Report (CSPR), Part I, submitted in December, 2009, reported dropout for students with disabilities using the annual event school dropout rate for students leaving school in a single year determined in accordance with the National Center for Educational Statistics (NCES) Common Core of Data (CCD) for the previous year (SY2007-2008). **NJDOE's dropout rate for students with disabilities, as reported in the CSPR, was 2.9%.**

Because New Jersey has not yet adopted an adjusted cohort graduation rate, for FFY 2008, and because the SPP target for dropout was established using the calculation previously reported in the New Jersey State Performance Plan and Annual Performance Reports submitted for FFY 2005, 2006 and 2007, NJOSEP is using the dropout calculation previously established in the SPP. Therefore, for FFY 2008, the dropout rate to be used in determining progress for this indicator has been computed using the prior calculation and data from 2008-2009. This dropout rate will be compared to the previously established SPP target to determine progress for this indicator.

The calculation used to determine drop-out rate for youth with IEPs

Data are collected annually through the Report of Children with Disabilities Exiting Special Education to determine the drop-out rate of students with disabilities. On the exiting table, the number of students with disabilities that dropped-out for a given year is collected for students ages 14-21. This number is then divided by the total enrollment of students with disabilities ages 14-21 for that year in order to determine what percentage of the total number of students with disabilities is students with disabilities that dropped-out.

Overview of Issue/Description of System or Process: Dropout**Description of what counts as dropping out for all youth, and if different, what counts as dropping out for youth with IEPs**

The New Jersey Constitution and statutes mandate that students ages 6 through 15 attend school either in public or private schools, or that they be home schooled during those ages. At ages 16 and 17, students may drop out of school with parental consent. Beginning at age 18, students may drop out of school without parental consent, unless the parents retain guardianship. Student ages 16 and older are no longer considered truant if they fail to attend school.

Baseline Data for 2005:

In 2004-2005, the drop-out rate for all students was 2.0%. For students with IEPs, the drop-out rate was 5.43%.

Discussion of Baseline Data:

In order to assist in setting the targets for Indicator # 2 and the development of strategies to meet the targets, NJOSEP has reviewed trend data. The data reveal the drop-out rate for students with disabilities has been at or near 5% with a slight increase in the drop-out rate for the 2004-2005 school year:

02-03 school year 5.19% of students with disabilities dropped out
 03-04 school year 4.99% of students with disabilities dropped out
 04-05 school year 5.43% of students with disabilities dropped out

FFY	Measurable and Rigorous Target
2005 (2005-2006)	The drop-out rate for students with IEPs will be at or below 5.0%
2006 (2006-2007)	The drop-out rate for students with IEPs will be at or below 4.9%
2007 (2007-2008)	The drop-out rate for students with IEPs will be at or below 4.8%
2008 (2008-2009)	The drop-out rate for students with IEPs will be at or below 4.7%
2009 (2009-2010)	The drop-out rate for students with IEPs will be at or below 4.6%
2010 (2010-2011)	The drop-out rate for students with IEPs will be at or below 4.5%
2011 (2011-2012)	The drop-out rate for students with IEPs will be at or below 4.5%
2012 (2012-2013)	The drop-out rate for students with IEPs will be at or below 4.5%

Improvement Activities/Timelines/Resources:

NOTE: Activities that occurred in 2008-2009 that are ongoing and will be continued through 2012-2013 are represented by the symbol *.**

The following activities are relevant to the indicators linked to transition, specifically Indicators 1, 2, 13, and 14.

Establishment of Adjusted Cohort Graduation Rate: During the transition period, NJOSEP staff will collaborate with staff from Title I and other units responsible for collecting and reporting graduation and dropout data. Meetings will be scheduled to review progress in establishing the adjusted cohort graduation rate according to the new requirements.

Policy/Regulation: NJOSEP has continued to require that transition services be addressed in students' Individualized Education Programs, beginning at age 14. Specifically, N.J.A.C. 6A: 14 requires that beginning with the IEP in place for the school year when the student will turn age 14, or younger if determined appropriate by the IEP team, and updated annually, the IEP must include:

- a statement of the student's strengths, interests, and preferences;
- identification of a course of study and related strategies and/or activities that are consistent with the student's strengths, interests, and preferences and are intended to assist the student in developing or attaining postsecondary goals related to training, education, employment and, if appropriate, independent living;
- as appropriate, a description of the need for consultation from other agencies that provide services to individuals with disabilities including, but not limited to, the Division of Vocational Rehabilitation Services in the Department of Labor; and
- as appropriate, a statement of any needed interagency linkages and responsibilities.

(Activity 2008-2009)***

Self-Assessment/Monitoring: Effective February 2007, NJOSEP realigned its self-assessment/monitoring system to be consistent with the SPP indicators. Districts are selected for monitoring based on federal monitoring priorities – placement in the least restrictive environment and disproportionate representation of specific racial/ethnic groups in special education or through random selection. The new system links compliance, data and programming by requiring districts to review compliance in areas related to SPP indicators and to examine their data compared to state targets. Following the review conducted through self-assessment, districts must identify activities to correct noncompliance and activities for continuous improvement toward state SPP targets.

Monitoring activities in the areas of graduation rate, dropout rate and transition service needs are linked in the self-assessment. Each district identified for self-assessment reviews their graduation and dropout rates against the state annual SPP targets, completes a protocol to identify needs for continuous improvement in transition planning and reviews related compliance requirements. Federal requirements related to SPP Indicators 1 and 2 are reviewed during onsite monitoring visits if a district in the self-assessment cohort did not meet the SPP target for Indicator 1 and/or Indicator 2. Noncompliance with requirements related to SPP Indicators 1, 2, 13 and 14 must be corrected within one year of identification. **(Activity 2008-2009)*****

Targeted Technical Assistance for Self-Assessment Districts: NJOSEP's monitoring unit identified districts required to participate in the 2008-2009 self-assessment/monitoring process, whose graduation and/or dropout data were below state targets. NJOSEP monitors and program development staff offered assistance to these districts to review transition requirements and best practices in preparation for their self-assessment and development of improvement plans regarding transition. During this period, NJOSEP conducted individualized technical assistance sessions for twenty-seven district teams including: special education administrators, general education administrators, child study team members, parents, guidance personnel and/or transition coordinators. NJOSEP reviewed districts' IEPs prior to the sessions to develop specific recommendations for improvement. These suggestions were provided to session participants along with discussion and resources intended to clarify regulatory requirements and describe effective practices to enhance transition planning and services. Using the transition sections of the self-assessment and onsite monitoring documents developed by NJOSEP as guides for the discussion, teams learned about student, family and transdisciplinary school involvement in IEP development and transition planning; interagency resources and linkages; and preparation for integrated employment, independent living, and postsecondary education. As a result of the individualized technical assistance sessions, participating districts have an increased understanding of how to develop compliant transition sections of IEPs. **(Activity 2008-2009)*****

Transition to Adult Life Targeted Review Teleconferences: Two teleconferences regarding transition planning were held for districts selected for the 2009-2010 SPP Indicator 13 compliance review. Federal requirements related to Indicators 1, 2, 13, and 14 were reviewed. Resources

detailing best practices in transition planning were disseminated and aligned with the elements of the checklist used for New Jersey's Indicator 13 review. The checklist is based on the checklist developed for states by the National Secondary Transition Technical Assistance Center. Districts were provided with a process for self-review to ensure compliance with Indicator 13 and appropriate transition planning for students with disabilities. **(Activity 2009-2010)*****

State Level Capacity Building: NJOSEP, through its "transition-related" initiatives, has emphasized the importance of linking school experiences to post-school education, employment, self-advocacy and independence. The development and implementation of these initiatives are frequently conducted in collaboration with other offices/units within the Department of Education as well as agencies outside of the Department. This focus is reflected in the activities listed below. **(Activity 2009-2010)*****

a. Statewide Technical Assistance and Training: To promote knowledge of effective practices for transition from school to adult life for students with disabilities, NJOSEP organized and provided statewide trainings and provided technical assistance on a proactive and on a request basis. Technical assistance activities were conducted for school districts, other offices within the Department of Education, other agencies, professional organizations, and parent organizations to clarify regulatory requirements and policy, share promising practices and resources, and provide guidance on transition program development and an improvement planning process. **(Activity: 2008-2009)*****

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(Activity: 2006-2007)***

h. Post-School Outcome Technical Assistance: In February 2009, NJOSEP conducted a technical session for the 50 school districts (Cohort III) selected for participation in the post-secondary data collection. Districts were required to identify students with disabilities who have exited during the 2007-08 school year. This includes 2008 graduates, students who will be aging out of school and students who have dropped out, including students who have moved, but not known to be continuing. The districts were required to collect contact information on all exiters and to notify the students and their parents that they will be contacted within a year to determine the student's post-school status. A copy of the survey was disseminated to the school district representatives. Staff from the districts conducted follow-up interviews with former students between April and August, 2009 and forwarded all surveys to NJOSEP. Throughout the year assistance was provided to all districts participating in the study. In addition, individualized technical assistance was provided to selected districts through on-site meetings and progress monitoring to improve response rates. NJOSEP's technical assistance contributed to the 73% response rate for the study. Study results were disseminated to each participating district and used for district and state level improvement planning. For more detailed information, see APR Indicator #14 Post School Outcomes. **(Activity: 2008-2009)*****

Similarly in April 2010, NJOSEP conducted a technical assistance session for the 75 school districts (Cohort IV) selected for participation in the post-school outcomes data collection. NJOSEP's technical assistance contributed to the 75.6% statewide response rate for cohort IV districts. Study results will be disseminated to each participating district and used for district and state level improvement planning. For more detailed information, see APR Indicator #14 Post School Outcomes. **(Activity: 2009-2010)*****

i. Interagency Collaboration - Statewide Parent Advocacy Network Transition Teleconferences: To promote understanding of topics related to transition among parents of students with disabilities, NJOSEP collaborated with the Statewide Parent Advocacy Network to organize and provide two statewide teleconferences titled *A Family's Guide to Community-Based Instruction for Students with Disabilities* and *Structured Learning Experiences: A Collaborative Approach Among Educators, Parents, Students and the Workplace*. The presentation on Community-Based Instruction (CBI) included the following topics: definition of CBI, reasons for teaching in the community, support for schools that provide CBI, and family members' role in supporting CBI. 53 parents, school administrators, and educators participated in the CBI teleconference. The presentation on Structured Learning Experiences (SLE) included the following topics: Definition of SLE, Responsibilities of school districts, students, parents, and employers, and Benefits for students who participate in SLE. 39 parents, school administrators, and educators participated in the SLE teleconference. Both presentations are available for download on the web at www.spannj.org/resources/index.htm#Transition. **(Activity: 2008-2009 and 2009-2010)**

j. Interagency Collaboration – The Office of Special Education Programs collaborated with the New Jersey Division of Vocational Rehabilitation Services and developed *Guidelines for School Personnel Working with Transition Students*. In addition, *A Myths & Facts* document was developed on Vocational Rehabilitation Services and disseminated to the districts. **(Activity: 2009-2010)*****

k. Interagency Collaboration – The NJ Division of Developmental Disabilities (DDD) in collaboration with the Office of Special Education Programs and the Family Support Center of New Jersey developed a document titled *Myths & Facts* that provides comprehensible information concerning DDD services for youth in transition and addresses common misconceptions. This resource is also available on the DDD website. **(Activity: 2009-2010)*****

Indicator #3: Assessment

Part B State Performance Plan (SPP) for 2005-2012

Revised 2/1/11 to Reflect FFY 2011 and FFY 2012 SPP/APR Extension

Overview of the State Performance Plan Development:

Indicator #3, Assessment, was discussed at the second stakeholder meeting held on November 3, 2005. NJOSEP staff presented an overview and explanation of the indicator. The presentation included information on the NCLB thresholds for adequate yearly progress for New Jersey schools and districts and a rationale for utilizing those rigorous targets for the special education subgroup.

Stakeholder Input:

The stakeholder group discussed the statistic that would be selected for the performance target. Stakeholders expressed a concern regarding the exclusion of students with disabilities due to the n size for the special education subgroup. As a result, a determination was made to use the statewide special education subgroup as the target to ensure that all students with disabilities are included in the measure.

Although there was some concern among the stakeholders regarding the use of such rigorous targets for the subgroup, the majority expressed agreement with using one set of annual goals for all students.

Update to the FFY 2007 State Performance Plan - 2/2/09 - Students in grades 5 through 7 took a revised NJ ASK in FFY 2007. As a result, achievement standards were revised which required changes to AYP benchmarks. Since AYP benchmarks are developed by grade span and not by individual grade, this affected the AYP benchmarks for grades 3 through 8. Table 3A1 lists the revised benchmarks for language arts literacy and mathematics for each tested grade span. The revisions to the AYP benchmarks changed SPP targets for FFY 2008 through FFY 2010; therefore, Indicator 3 in the SPP has been revised. The NCLB Accountability Workgroup, a group of stakeholders, received the proposed AYP benchmark changes for review prior to adoption by the NJDOE and approval by the USDOE.

Stakeholder Meeting January 14, 2011:

At the stakeholder meeting on January 14, 2011, stakeholders were reminded that data for Indicator #3 were obtained from NJDOE's Office of Student Achievement and Accountability. These data are the data used for reporting whether districts and charter schools have achieved adequate yearly progress (AYP) as required under Title 1 of the Elementary and Secondary Schools Act (ESEA) each year. Stakeholders agreed to continue using AYP targets developed for all students as targets for performance for this indicator. Improvement activities were reviewed to ensure that they facilitate improvement in this student achievement.

Monitoring Priority: FAPE in the LRE

Indicator 3: Participation and performance of children with IEPs on statewide assessments:

- A. Percent of the districts with a disability subgroup that meets the State's minimum "n" size that meet the State's AYP targets for the disability subgroup.
- B. Participation rate for children with IEPs.
- C. Proficiency rate for children with IEPs against grade level, modified and alternate academic achievement standards.

(20 U.S.C. 1416 (a)(3)(A))

Measurement:

A. AYP percent = $\left[\frac{\text{(\# of districts with a disability subgroup that meets the State's minimum "n" size that meet the State's AYP targets for the disability subgroup)}}{\text{(total \# of districts that have a disability subgroup that meets the State's minimum "n" size)}} \right] \times 100$.

B. Participation rate percent = $\left[\frac{\text{(\# of children with IEPs participating in the assessment)}}{\text{(total \# of children with IEPs enrolled during the testing window, calculated separately for reading and math)}} \right]$. The participation rate is based on all children with IEPs, including both children with IEPs enrolled for a full academic year and those not enrolled for a full academic year.

C. Proficiency rate percent = $\left[\frac{\text{(\# of children with IEPs enrolled for a full academic year scoring at or above proficient)}}{\text{(total \# of children with IEPs enrolled for a full academic year, calculated separately for reading and math)}} \right]$.

Overview of Issue/Description of System or Process:

State used the same assessments used for reporting under NCLB Updated for February 1, 2011 Submission

The New Jersey state assessment system currently assesses students in grades 3 through 8 and 11. These assessments are administered to measure achievement of the Core Curriculum Content Standards, our State's academic standards, and **to meet the requirements of the No Child Left Behind Act.** The assessments are as follows:

Grade 3, 4 New Jersey Assessment of Knowledge and Skills (NJASK3, 4)

Grade 8 Grade Eight Proficiency Assessment (GEPA)

Grade 11 High School Proficiency Assessment (HSPA)
Alternate High School Assessment (AHSA)

Alternate
Assessment for
Grades 3, 4, 8 and 11 Alternate Proficiency Assessment (APA)

Assessments for grades 5, 6 and 7 in mathematics and language arts literacy will be implemented in spring 2006.

With regard to the participation of students with disabilities in state assessments, each student's IEP team determines how the student will participate in state assessments – either the general assessment for the grade or the APA. Decisions are made by content area affording the students the opportunity to participate in the general assessment for one content area and in the APA for another. IEP teams also select accommodations and modifications for the general assessments, as needed, for students on an individual basis from a list developed by the Office of State Assessments and the Office of Special Education Programs. Any accommodation selected for use for a student during state assessments by the IEP team is documented in the student's IEP. Scores of students who use accommodations from the approved list are considered valid scores and the students are included as participants in the state assessment.

Information regarding accountability for participation in and performance on state assessments for all students may be found in the NJDOE Consolidated Application Accountability Workbook, approved by the USDOE, at www.nj.gov/education/grants/nclb/accountability/workbook1009.

Baseline Data for FFY 2004 (2004-2005):**A. Percent of districts meeting the State's AYP objectives for progress for the disability subgroup for 2005 (*includes only districts that have a disability subgroup that meets the state's minimum 'n' size*):**

For the 2004-2005 school year, 606 districts included grades that were tested in the statewide assessment system. Of those, 351 were not analyzed for the special education subgroup since less than 35 students with disabilities were assessed in the district. Of the remaining 255, a total of 54, or 21.1%, met the annual objective for adequate yearly progress in all tested grades and content areas (mathematics and language arts).

B. and C. Participation and Performance Rates for Children with IEPs:

Participation and performance data for the 2004-2005 school year are presented in Attachment 1 for each assessment and aggregated, combining the participation and proficiency rates for the general assessment and APA data for students in each tested grade and equivalent age group. Students who attempted to take the test but responded to less than 20% of the items in a content area received a voided score due to the lack of reliability of the potential true score.

Discussion of Baseline Data:

The state exceeds the NCLB requirement for a 95% participation rate in all tested grades except high school. The participation rate for the APA has not exceeded 1.0% at the state level demonstrating that IEP teams are making appropriate decisions regarding participation. Participation targets have been set higher than 95% for the elementary grades since IDEA requires all students with disabilities to participate in state assessments. In setting the final target, NJOSEP ***accounted for any children in B (a), but not included in B (b) , B (c), B (d), or B (e) , and set the final target at 97% since each year, circumstances arise where some students, due to illness or other unexpected situation, are unable to participate in the assessments.***

Performance targets are consistent with the rigorous targets established for all children and include the provisions of safe harbor, consistent with NCLB. Although the disability subgroup is performing below the targets statewide in each content area, the NJDOE did not lower expectations for this group. Since activities are aligned with general education initiatives to improve performance, (e.g., the literacy initiative), it was determined that establishing different targets would be counterproductive to the collaborative efforts occurring at the state and district levels.

FFY	Measurable and Rigorous Target Participation and Performance-State Assessments
2005 (2005-2006)	<p>A. 100% of districts will meet the state's AYP objectives for progress for the disability subgroup for mathematics and language arts literacy at each tested grade level.*</p> <p>B. 96.5% of students with IEPs in grades 3 through 8 will participate in the general assessment for their grade or age or the APA.**</p> <p>96% of students with IEPs in grade 11 will participate in the High School Proficiency Assessment or the APA.</p> <p>C. The proficiency rate for children with IEPs measured against grade level standards and alternate achievement standards will equal or exceed the state AYP objectives for mathematics and language arts literacy at each tested grade level. *</p>
2006 (2006-2007)	<p>A. 100% of districts will meet the state's AYP objectives for progress for the disability subgroup for mathematics and language arts literacy at each tested grade level.*</p> <p>B. 96.5% of students with IEPs in grades 3 through 8 will participate in the general assessment for their grade or age or the APA.**</p> <p>96% of students with IEPs in grade 11 will participate in the High School Proficiency Assessment or the APA.</p> <p>C. The proficiency rate for children with IEPs measured against grade level standards and alternate achievement standards will equal or exceed the state AYP objectives for mathematics and language arts literacy at each tested grade level. *</p>
2007 (2007-2008)	<p>A. 100% of districts will meet the state's AYP objectives for progress for the disability subgroup for mathematics and language arts literacy at each tested grade level.*</p> <p>B. 96.5% of students with IEPs in grades 3 through 8 will participate in the general assessment for their grade or age or the APA.**</p> <p>96% of students with IEPs in grade 11 will participate in the HSPA or the APA.</p> <p>C. The proficiency rate for children with IEPs measured against grade level standards and alternate achievement standards will equal or exceed the state AYP objectives for mathematics and language arts literacy at each tested grade level. *</p>
2008 (2008-2009)	<p>A. 100% of districts will meet the state's AYP objectives for progress for the disability subgroup for mathematics and language arts literacy at each tested grade level.*</p>

	<p>B. 97% of students with IEPs in grades 3 through 8 and 11 will participate in the general assessment for their grade or age or the APA.**</p> <p>C. The proficiency rate for children with IEPs measured against grade level standards and alternate achievement standards will equal or exceed the state AYP objectives for mathematics and language arts literacy at each tested grade level. *</p>
2009 (2009-2010)	<p>A. 100% of districts will meet the state's AYP objectives for progress for the disability subgroup for mathematics and language arts literacy at each tested grade level.*</p> <p>B. 97% of students with IEPs in grades 3 through 8 and 11 will participate in the general assessment for their grade or age or the APA.**</p> <p>C. The proficiency rate for children with IEPs measured against grade level standards and alternate achievement standards will equal or exceed the state AYP objectives for mathematics and language arts literacy at each tested grade level. *</p>
2010 (2010-2011)	<p>A. 100% of districts will meet the state's AYP objectives for progress for the disability subgroup for mathematics and language arts literacy at each tested grade level.*</p> <p>B. 97% of students with IEPs in grades 3 through 8 and 11 will participate in the general assessment for their grade or age or the APA.**</p> <p>C. The percentage of students achieving a score of proficient or advanced proficient on state assessments in the special education subgroup will equal or exceed the annual measurable objective for performance in mathematics and language arts literacy.</p>
2011 (2011-2012)	<p>A. 100% of districts will meet the state's AYP objectives for progress for the disability subgroup for mathematics and language arts literacy at each tested grade level.*</p> <p>B. 97% of students with IEPs in grades 3 through 8 and 11 will participate in the general assessment for their grade or age or the APA.**</p> <p>C. The percentage of students achieving a score of proficient or advanced proficient on state assessments in the special education subgroup will equal or exceed the annual measurable objective for performance in mathematics and language arts literacy.</p>
2012 (2012-2013)	<p>A. 100% of districts will meet the state's AYP objectives for progress for the disability subgroup for mathematics and language arts literacy at each tested grade level.*</p> <p>B. 97% of students with IEPs in grades 3 through 8 and 11 will participate in the general assessment for their grade or age or the APA.**</p> <p>C. The percentage of students achieving a score of proficient or advanced proficient on state assessments in the special education subgroup will equal or exceed the annual measurable objective for</p>

	performance in mathematics and language arts literacy.
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Table 3A1 AYP Objectives for Proficiency Rate for All New Jersey Students							
Content Area	Grade Level	FFY 2005	2006	2007	2008	2009	2010
Language Arts Literacy	3, 4 and 5	75	75	73	73	73	86
	6,7 and 8	66	66	72	72	72	86
	11	79	79	85	85	85	92
Mathematics	3, 4 and 5	62	62	69	69	69	84
	6, 7 and 8	49	49	61	61	61	80
	11	64	64	74	74	74	86

A district will be considered meeting the objective if the district reduces the partially proficient rate by 10% from the previous year. AYP is calculated by aggregating across grade spans listed in the table above.

****Participation in the APA will not exceed 1% of the tested population in a district unless an exception to the 1.0% limitation is granted by the NJDOE.**

Revised AYP Objectives for New Jersey State Assessment Proficiency

Table C1 - New Jersey AYP Annual Measurable Objectives (AMOs) - New Jersey's SPP Measurable and Rigorous Targets for Performance						
Content Area	Grade Level	Starting Point FFY 2002-2003	FFY 2004-2006	FFY 2007-2009	FFY 2010-2013	FFY 2013
Language Arts Literacy	3, 4 and 5	68	75	59*	79*	100
	6,7 and 8	58	66	72	86	100
	11	73	79	85	92	100
Mathematics	3, 4 and 5	53	62	66	83*	100
	6, 7 and 8	39	49	61	80	100
	11	55	64	74	86	100

* During the 2008-2009 school year, new tests were administered in grades 3 and 4. During the 2007-2008 school year new tests were administered in grades 5-8. As a result, New Jersey modified the AMOs (benchmark targets) to ensure a transition with the new assessments.

Improvement Activities/Timelines/Resources:

NOTE: Activities that occurred in 2008-2009 that are ongoing and will be continued through 2012-2013 are represented by the symbol *.**

NJOSEP is continuing to collaborate with other offices within the Department of Education to address the performance of students with disabilities on state assessment through the following monitoring and training/technical assistance activities for targeted districts as well as for districts statewide:

I. Targeted Activities

a. Collaborative Assessment and Planning for Achievement (CAPA):

The New Jersey Department of Education has instituted a review process for schools in need of improvement titled Collaborative Assessment and Planning for Achievement (CAPA). This process has established performance standards for schools related to school leadership, instruction, analysis of state assessment results, and **use of assessment results to inform instruction for all students in the content standards**. Through a collaborative effort between the Division of Student Services and the Abbott Division, the CAPA process includes a review of the inclusion of students with disabilities and special education staff members in school-based initiatives focused on improving results for students. Individuals with knowledge of special education are part of the CAPA review teams and a protocol for interviewing teachers and administrators relative to the needs of students with disabilities within school-based improvement initiatives has been developed and implemented. Findings from completed reports and improvement plans applicable to special education include: analysis of student data to inform instruction; inclusion of special education staff in curriculum articulation meetings; collaborative lesson planning for co-taught classes; training on differentiated instruction, modifications for students with disabilities and other research-based practices; and supervision of staff to verify, monitor and evaluate instruction. This information is used as part of NJOSEP's monitoring process and for decisions related to training and technical assistance activities. **(Activity: 2009-2010 to 2012-2013)**

b. Intensive Early Literacy Initiatives (K-4) and Collaboration with the Office of Language Arts Literacy Education and the Office of Reading First

During 2009-2010, the NJDOE Offices of Language Arts Literacy Education, Reading First and Special Education continued to promote a literacy model characterized by a tiered system of assessment and intervention that promotes inclusive practices. The model emphasizes co-teaching support and promotes providing literacy instruction to students with disabilities; first within general education programs. The model also supports additional instruction beyond the literacy block for any student, including students with disabilities, who requires more systematic, focused instruction. As part of the collaboration between the three offices, special education literacy resource coaches (SELRCs) have been supported, through cooperative grant agreements (CA), in 44 districts including those formerly known as Abbott districts and other low performing districts. The SELRCs provide in-district training and coaching focused on students with disabilities. SELRCs also serve on district and building level teams to plan activities and monitor progress of students with disabilities. During this period, NJDOE staff conducted statewide training and technical assistance activities on effective practices for SELRCs and other district staff who support teachers in implementing these practices within their districts.

Of the 44 participating districts, NJOSEP funded 26 districts through cooperative agreements (CA) during the 2009-2010 school year. Fourteen (14) former Abbott districts participated in the CA "Providing Quality Intensive Early Literacy (IEL) Instruction to Students with Disabilities (K-4) – Year-45" and twelve (12) other low performing districts participated in the Initiative for the Development of Early Achievement in Literacy (IDEAL) through the CA "Providing IDEAL Instruction to Students with Disabilities (K-4) – Year 4". Both initiatives address the same three tiered intervention model of literacy practices.

During 2009-2010, the NJDOE Offices of Language Arts Literacy Education, Reading First and Special Education continued to promote a literacy model characterized by a tiered system of assessment and intervention that promotes inclusive practices. The model emphasizes co-teaching support and promotes providing literacy instruction to students with disabilities; first within general education programs. The model also supports additional instruction beyond the literacy block for any student, including students with disabilities, who requires more systematic, focused instruction. As part of the collaboration between the three offices, special education

literacy resource coaches (SELRCs) have been supported, through cooperative grant agreements (CA), in 44 districts including those formerly known as Abbott districts and other low performing districts. The SELRCs provide in-district training and coaching focused on students with disabilities. SELRCs also serve on district and building level teams to plan activities and monitor progress of students with disabilities. During this period, NJDOE staff conducted statewide training and technical assistance activities on effective practices for SELRCs and other district staff who support teachers in implementing these practices within their districts. (Activity 2009-2010)

c. Middle School Literacy Initiative/Secondary Education Initiative: Literacy is Essential to Adolescent Development and Success (LEADs) model (Grades 4-8)

During 2009-2010, NJDOE continued its middle school literacy initiative within fifteen low performing, low income school districts. This initiative emphasized research-based assessment and instructional practices including a 120 minute uninterrupted literacy block, thematic and cross disciplinary instruction, use of diverse texts, reading-writing connections through problem based learning and targeted interventions including guided reading and targeted skill instruction for students reading two or more years below grade level. NJOSEP collaborated with the Office of Literacy to ensure that students with disabilities and special education teachers were part of this initiative. (Activity 2009-2010)***

d. Targeted Middle School Math Initiative: Implementing New Curricular Learning With Universally Designed Experiences (INCLUDE) Project

During 2006-2007, the Office of Educational Technology and NJOSEP collaborated in the development of a multi-year targeted grant focused on middle grades (5th through 8th) math curriculum. The INCLUDE project is designed to ensure that all students in the general education classroom, including those with disabilities, struggling students and English language learners, are provided access to math instruction through the use of educational technology, thereby improving their mathematics achievement.

The grant was available to districts designated as “high need” in terms of student achievement. In 2007-2008 thirteen districts were selected to receive the grant based on an application process. Through this grant, teachers received specialized training in differentiation and effective use of educational technology to support the different learning styles, languages and disabilities of ALL students using a Universal Design for Learning approach.

During 2007-2008, NJOSEP personnel conducted training for middle school general and special education math teachers, CST members, middle school principals and special education directors on the provision of supports and accommodations for learners of varying ability levels within general education classrooms. Training was also provided on the array of supports to promote access to the general education curriculum by students with IEPs.

During 2008-2009, NJOSEP personnel provided an on-line interactive training session to INCLUDE Grant personnel on Respectful and Responsive Classrooms to support the needs of all students, including students with IEPs identified as have some behavioral challenges. During the 2009-2010 school year, NJOSEP personnel continued to consult and collaborate with the NJDOE, Office of Educational Technology personnel in support of the INCLUDE project, as needed. (Activity 2009-2010)***

e. Differentiated Instruction - Targeted Training: A Training of Trainers – Differentiated Instruction

NJOSEP continued to implement a “training of trainers” series on differentiated instruction for districts identified during the self-assessment/monitoring process who did not meet state targets for LRE. During the first year (2007-2008), 10 districts participated in the training. During the second year (2008-2009), 16 districts participated in the training. In the third year (2009-2010), 20 districts participated in the training.

The four day “training of trainers” series was designed to increase the district capacity to differentiate instruction within general education classrooms, enabling special and general educators to address the needs of students with disabilities within those settings. District personnel attended the turnkey training as teams of general and special educators with the explicit purpose of sharing the knowledge and strategies of differentiated instruction with other general and special education staff within their district.

The training presented the principles and practices of differentiated instruction through mini-lectures and hands-on activities that participants can turnkey within their districts. Information, including turnkey training materials (e.g., power point presentations, activities and handouts, sample lessons), are provided to participants for this purpose. During each session, teams learned new strategies, reflected and problem solved around implementation issues and received feedback. Teams were also assisted in planning for implementation of differentiated instruction practices within their districts. **(Activity 2009-2010)*****

State Level Capacity Building***a. Self-Assessment/Monitoring:***

The monitoring system in place during 2009-2010 was aligned with the SPP indicators. The system linked compliance, data and programs and services by requiring districts to review compliance in areas related to SPP indicators and to examine their data compared to state targets.

Each district that had been identified for self-assessment reviewed their state assessment performance and participation rates against the state annual SPP targets, completed a protocol to identify needs for continuous improvement in curriculum and instruction and reviewed compliance requirements related to participation in state assessments. The protocol for state assessment was adapted from a document used as part of the Quality Single Accountability System, the general monitoring system for all districts in the state that reviews achievement for all students. Other related requirements, such as IEP required components, were also reviewed. Districts that had performance or participation rates below the state annual SPP target were required to develop and implement improvement strategies to make progress toward the next year's SPP targets. Districts were directed to collaborate with general education staff members in developing strategies and activities that improve performance for all students.

Onsite monitoring and desk audits were conducted to review compliance related to state assessment in addition to requirements related to other SPP indicators. Districts that participated in monitoring were required to correct noncompliance, in accordance with the USOSEP 09-02 memo, within one year of identification. **(Activity 2009-2010)*****

b. New Jersey Quality Single Accountability (NJQSAC)

NJQSAC is a system for evaluating and monitoring public school districts throughout New Jersey to determine the extent to which public school districts are providing a thorough and efficient education. The NJQSAC system, through the use of the District Performance Review (DPR), focuses on five key components of school district effectiveness: instruction and program,

personnel, fiscal management, operations, and governance. Within the NJQSAC components are the standards and indicators designed to assess for all students' achievement in literacy and mathematics, progress toward proficiency, local capacity, and the need for support and assistance. The results of the NJQSAC monitoring will be used to review district practices and to coordinate program improvement planning with an emphasis on student achievement for students with disabilities. **(Activity 2009-2010)**

c. *New Jersey Policy Implementation and Guidance Regarding State Assessments*

Alternate Proficiency Assessment (APA):

NJOSEP continued to work collaboratively with the Office of Assessment in regard to the Alternate Proficiency Assessment (APA). In the fall of 2009, training on the Alternate Proficiency Assessment (APA) was provided to administrators throughout the state providing guidance and instruction on the implementation of regulations for the upcoming school year based on the assessment. Trainings were held in September of 2009 at four regional locations to ensure access by all administrators and APA coordinators. These statewide trainings were coordinated and provided through both offices by representative staff members in conjunction with the APA contractor, Pearson Educational Measurement and its subcontractor, the Inclusive Large Scale Standards and Assessment group (ILLSA).

Training for teachers was provided via a series of web based modules that could be accessed at their school or home locations throughout the APA assessment period. These training modules were designed with input from both offices, posted and accessed through the NJDOE website. As per the direction of the USDOE, the design of the APA continues to address the specific grade level NJCCCS, Strands and Cumulative Progress Indicators (CPIs) that are aligned with the general assessment for grades 3-8 and at the high school level.

During 2009-2010, the two offices continued to collaborate on the Alternate Proficiency Assessment inclusive of the range finding process and determination of scoring procedures. Both offices continued to work with DOE content specialists, assessment specialists, ILLSA personnel and Pearson to ensure that the APA design and structure continues to be aligned with the grade level content standards and made some minor adjustments to the CPI links for the upcoming 2010-2011 school year. Both offices collaborated on the development, selection and posting of sample activities and appropriate evidence for matched, near and far CPI links within Math, LAL and Science at the various grade levels on the NJDOE Assessment Website. This resource provided teachers of students with disabilities additional guidance and support in meeting the students' educational needs.

The APA Advisory Committee met during the year and provided input and feedback regarding the process guiding the testing system within New Jersey. This committee consists of a diverse group of stakeholders inclusive of local education agency personnel, private special education schools, NJEA members, state personnel from various agencies, and other interested parties and continues to be a critical resource to the NJDOE assessment process. **(Activity 2009-2010)****

General Statewide Assessment Training Sessions:

Training sessions regarding general assessments and the participation of students with disabilities in general state assessments continued to be conducted for school personnel statewide by the Office of Student Learning Assessments. Test manuals, which include the participation criteria for general assessments and the APA and guidance regarding accommodations and modifications, were distributed for each assessment. Technical assistance materials were developed and are available in districts and on the NJDOE web site. These materials include the skills and skill clusters assessed for each assessment, sample items, sample scored items for reference, scoring rubrics and information on holistic scoring for reading and writing as well as math. **(Activity 2009-2010)*****

d. Regional Proactive Trainings on Differentiated Instruction

The Learning Resource Center Network sponsors regional trainings on differentiated instruction as a way to support the diverse learning needs of students with disabilities in general education classrooms. These trainings are open to district personnel statewide. During 2009-2010, the training focus was on differentiating literacy and math practices at the elementary level.

Facilitating Inclusion through Differentiated Instruction in General Education Classrooms: Focus on the Literacy Block (Grades K-3)

The first set of regional trainings was designed to facilitate the inclusion of students with disabilities in general education classrooms within the language arts literacy block in grades K-3. During this two-day training, participants learned to apply the basic principles and practical applications of differentiated instruction to the design of small group instruction and literacy centers. The development of phonics, vocabulary, and comprehension skills and strategies that accommodate the needs of diverse learners was emphasized. The target audience was general and special education teachers in grades K-3.

Facilitating Inclusion through Differentiated Instruction in General Education Classrooms: Focus on Mathematics (Grades 4 and 5)

The second set of regional trainings focused on mathematics. During this one day workshop, math skills critical for grades 4 and 5 were emphasized through a hands-on approach that incorporates flexible grouping, tiered assignments and varied levels of questioning. The workshop was targeted to general and special education teachers of elementary mathematics responsible for educating students with disabilities in general education programs in grades 4 and 5. **(Activity 2009-2010)*****

e. Assistive Technology

The New Jersey State Department of Education, Office of Special Education Programs, continued to support a statewide initiative to facilitate the consideration of Assistive Technology (AT) during the IEP process and the use of AT to support the education of students with disabilities in general education settings. This initiative was implemented initially by NJOSEP in collaboration with the Department of Children and Families (DCF), Office of Education through the 2008-2009 school year. During the 2009-2010 school year, NJOSEP worked in collaboration with the Statewide Parent Advocacy Network (SPAN) with a focus on family involvement in the AT decision making process. The following activities were collaboratively planned and conducted during 2009-2010:

Understanding Assistive Technology within the IEP Process

Three (3) two-part regional proactive workshops that focused on *Understanding Assistive Technology within the IEP Process* were conducted during spring/summer 2010. A total of 72 parents and educators attended these trainings throughout the state. In addition, a condensed version of the training was co-presented by SPAN and NJOSEP at the 2010 NJEA convention.

Understanding Assistive Technology within the IEP Process: A Lunchtime Teleconference

A lunch time teleconference for parents and educators that focused on *Understanding Assistive Technology within the IEP Process* was conducted in December 2010. Registration was over 100 with approximately 60 individuals participating in the call.

Improvement Activities/Timelines/Resources:

- I. NJDOE Policy Implementation and Guidance:** Annual training is conducted for teachers, administrators and child study team members regarding participation in state assessments, including the Alternate Proficiency Assessment (APA). Training for the APA is conducted

collaboratively by the Office of Assessment and Evaluation and the Office of Special Education Programs. Training regarding general assessments and the participation of students with disabilities in these assessments is conducted by the Office of Assessment and Evaluation. Test Coordinator and Administrator manuals are distributed annually which include the participation criteria for general assessments and the APA and guidance regarding accommodations and modifications that may be administered during general statewide assessments. Procedures for administering the APA include a framework for instructing all students in the Core Curriculum Content Standards. Examples of instructional activities are provided during training to assist teachers in modifying instructional activities to address the needs of students with the most significant activities and to assist them in collecting student data for the assessment. **(Ongoing Activity: 2005-2006 through 2010-2011)**

II. Intensive Early Literacy and Collaboration with Office of Urban Literacy

a. ***Policy Development and Implementation:*** The Office of Special Education Programs is collaborating with the Office of Urban Literacy to ensure that all students, including students with disabilities, receive high quality instruction that is consistent with the NJDOE Intensive Early Literacy initiative. Initially, this collaboration resulted in a guidance paper entitled "New Jersey Reading First, Intensive Early Literacy, and Office of Special Education Programs' Guidance on Provision of Services for Students with Disabilities. The guidance paper provides direction with regard to:

- Access to Reading First and Intensive Early Literacy Programs, including minimum requirements for instructional time;
- Diagnostic and Classroom-Based Assessment and Progress Monitoring;
- Organization of Instruction;
- Access to Materials and Equipment; and
- Access to Professional Development of Special Education Teachers.

This guidance paper is serving as the basis for intensive early literacy program development and related NJOSEP professional development activities in Abbott school districts. Additionally, the guidance paper will serve as a technical assistance tool for low performing non-Abbott districts and schools. **(Ongoing Activity: 2005-2006 through 2010-2011)**

b. ***Cooperative Grant Agreement:*** A cooperative grant agreement, *Providing Quality Intensive Early Literacy Instruction to Students with Disabilities*, was made available to each of the Abbott districts, with the expectation that programs, kindergarten through grade 4, will be organized to improve instruction in general education to eliminate inappropriate and unnecessary referral of students to special education and to ensure quality early literacy instruction for students appropriately identified as eligible for special education. Twenty-seven of the Abbott districts entered into the agreement that stipulates the following goal and objectives:

Grant Goal: To close the achievement gap of students with disabilities and nondisabled students in Abbott school districts as demonstrated by performance on the ASK 3, ASK 4, and the Terranova, grades K,1, and 2.

Grant Objectives:

- Grant Objective 1 - Assign special education literacy resource coach(es) to build instructional support for administrators, other literacy coaches and general and special

education teachers in school buildings and classrooms that provide instruction to students with disabilities, grades K-3.

- Grant Objective 2 - Organize and implement a program of instructional support through coaching that provides sustained contact with other literacy coaches and general and special education teachers responsible for the education of students with disabilities, to learn, practice, and refine instructional and assessment practices grounded in scientifically based reading research.
- Grant Objective 3 - Organize and implement a professional development program for other literacy coaches and general education and special education teachers focused on organizing and delivering instruction based on the principles of the NJDOE IEL. **(Activity: 2005-2006 through 2006-2007)**

c.. ***Middle School Literacy Initiative/Secondary Education Initiative:*** NJOSEP will expand its partnership with the Division of Abbott Implementation, Office of Urban Literacy, to its middle school and secondary school initiatives. These initiatives include:

- *Literacy is Essential to Adolescent Development and Success (LEADs) model (Grades 4-8)* - The LEADs model emphasizes working across disciplines, using interesting and contemporary literature, frequent writing, diverse texts, and targeted interventions for students reading two or more years below grade level;
- *Abbott Secondary Education Initiative (Grades 6 through 12)* – The Abbott Division has initiated a three-year project intended to strengthen the academic performance of Abbott district students in grades six through 12. Through this initiative targeted districts will develop plans to transform their high schools into smaller learning communities, designed to create a more rewarding learning environment for students and teachers and ensure that students have stronger connections to the school and community.

In collaboration with the Abbott Division, NJOSEP will ensure that the needs of students with disabilities are provided for and supported through these initiatives (e.g. interdivision trainings and technical assistance; grant agreements; policy directives, etc.). **(Activity: 2005-2006 through 2007-2008)**

- II. ***Collaborative Assessment and Planning for Achievement (CAPA):*** The New Jersey Department of Education has instituted a review process for schools in need of improvement entitled, Collaborative Assessment and Planning for Achievement (CAPA). This process has established performance standards for schools related to school leadership, instruction, analysis of state assessment results, and use of assessment results to inform instruction for all students in the content standards. Through a collaborative effort between the Division of Student Services and the Abbott Division, the CAPA process includes a review of the inclusion of students with disabilities and special education staff members in school-based initiatives focused on improving results for students. Individuals with knowledge of special education are part of the CAPA review teams and a protocol for interviewing teachers and administrators relative to the needs of special education students within school-based improvement initiatives has been developed and implemented. **(Ongoing Activity: 2005-2006 through 2010-2011)**
- III. ***Family Literacy Initiative:*** In collaboration with the Office of Reading First and the Statewide Parent Advocacy Network (SPAN), NJOSEP is implementing a family literacy initiative. This initiative involves training teams of educators and parents, representing Reading First districts, to turnkey literacy strategies in order to involve families in the literacy learning of their children with an emphasis on students with disabilities grades kindergarten through three. **(Activity: 2005-2006 through 2006-2007)**

- IV. Self-Assessment/Monitoring:** Participation in statewide assessment is reviewed as part of the compliance monitoring process. IEPs are reviewed to ensure that they include decisions regarding participation in the general assessment or the alternate assessment and accommodations, if the student will be taking the general assessment in any content area. Performance results are also reviewed as part of self-assessment. Districts review the results and determine if improvement activities are needed.

Participation and performance results will be reviewed in districts selected for focused monitoring during the 2006-2007 school year.

- V. Targeted Technical Assistance:** Districts identified as non-compliant for issues related to student participation in statewide assessments and/or districts targeted based on performance rates will be provided technical assistance for the purpose of identifying improvement strategies. **(Ongoing Activity: 2005-2006 through 2010-2011).**
- VI. Future Planning Activities:** NJOSEP will reconvene the stakeholder group in April/May 2006 to: (a) review the most recent data; (b) discuss the status of current activities, and determine if additional strategies should be considered to reach the targets set in the 2005 State Performance Plan. **(Activity: 2005-2006)**

Attachment 1 – State Assessment Data

2005 SPECIAL EDUCATION STUDENTS LANGUAGE ARTS LITERACY SUMMARY											
DATA											
	General Testing Program: NJASK 3, 4, GEPA (Grade 8) and HSPA (Grade 11)						APA				Overall %
		No Accommodations			Accommodations						
3	14,891	3,334	21.1%	14,891	10,921	69.0%	944	857	944	6.0%	96.0%
4	16,545	3,050	17.4%	16,545	12,864	73.6%	935	832	935	5.3%	96.4%
8	18,171	2,532	13.3%	18,171	14,925	78.2%	910	824	910	4.8%	96.3%
11	14,525	2,836	18.6%	14,525	10,999	72.0%	760	698	760	5.0%	95.5%
		No Accommodations			Accommodations						
Grade	Enrollment	N Count Prof + Adv Prof	P or AP**	Enrollment	N Count Prof + Adv Prof	P or AP	Enrollment	Valid Scores	N Count Prof + Adv Prof	P or AP	P or AP
3	14,891	2,563	16.4%	14,891	5,424	34.3%	944	857	702	4.4%	55.1%
4	16,545	2,104	12.2%	16,545	5,556	31.8%	935	832	684	3.9%	47.9%
8	18,171	772	4.1%	18,171	4,096	21.5%	910	824	692	3.6%	29.2%
11	14,525	695	4.6%	14,525	3,405	22.3%	760	698	600	3.9%	30.8%
	*Void = Attempted										

*Void = Attempted
** Proficient or
Advanced Proficient

2005 SPECIAL EDUCATION STUDENTS MATHEMATICS SUMMARY											
DATA											
Grade	General Testing Program: NJASK 3,4, GEPA (Grade 8), or HSPA (Grade 11)						APA				ALL
	Enrollment	No Accommodations		Enrollment	Accommodations		Enrollment	Valid Scores	N Count Valid + Void	Participate	Participate
		N Count Valid + Void	Participate		N Count Valid + Void	Participate					
3	14,891	3,341	21.1%	14,891	10,902	68.8%	944	833	944	6.0%	95.9%
4	16,545	3,055	17.5%	16,545	12,865	73.6%	935	813	935	5.3%	96.4%
8	18,171	2,516	13.2%	18,171	14,897	78.1%	910	827	910	4.8%	96.0%
11	14,525	2,751	18.0%	14,525	10,791	70.6%	760	691	760	5.0%	93.6%
Grade	Enrollment	No Accommodations		Enrollment	Accommodations		Enrollment	Valid Scores	N Count Prof + Adv Prof	P or AP	P or AP
		N Count Prof + Adv Prof	P or AP		N Count Prof + Adv Prof	P or AP					
3	14,891	2,635	17.0%	14,891	6,502	41.1%	944	833	641	4.0%	62.1%
4	16,545	2,222	12.9%	16,545	6,511	37.2%	935	813	652	3.7%	53.9%
8	18,171	632	3.4%	18,171	3,278	17.2%	910	827	635	3.3%	23.9%
11	14,525	695	4.6%	14,525	3,405	22.3%	760	691	549	3.6%	30.5%
Grade	Valid Scores	No Accommodations		Valid Scores	Accommodations		Enrollment	Valid Scores	N Count Prof + Adv Prof	P or AP	P or AP
		N Count Prof + Adv Prof	P or AP		N Count Prof + Adv Prof	P or AP					
3	14,181	2,635	17.8%	14,181	6,502	43.9%	944	833	641	4.2%	65.9%
4	15,803	2,222	13.5%	15,803	6,511	39.6%	935	813	652	3.9%	57.0%
8	17,322	632	3.5%	17,322	3,278	18.3%	910	827	635	3.5%	25.3%
11	13,488	695	5.0%	13,488	3,405	24.3%	760	691	549	3.9%	33.1%

Indicator #4A: Suspension/Expulsion

Part B State Performance Plan (SPP) for 2005-2012

Revised 2/1/11 to Reflect FFY 2011 and FFY 2012 SPP/APR Extension

Overview of the State Performance Plan Development:

Indicators # 4A and # 4B, Suspension/Expulsion, were first discussed at the stakeholder meeting held on November 3, 2005. At the meeting, staff from the NJOSEP presented an overview of the indicator and reviewed the baseline data from the 2004-2005 school year.

There was a general discussion of the data and the calculation of the suspension and expulsion rate. NJOSEP proposed a target that would cut the rate in half for students with disabilities by the 2010 -11 school year.

Stakeholder Input:

Stakeholders discussed the calculation. Subsequent to the stakeholder meeting, NJOSEP staff determined that an error was made in calculating the percentage of districts having a significant discrepancy in the rates of suspensions and expulsions of children with disabilities for greater than 10 days in a school year. Inaccurate figures were presented at the stakeholder meeting. The targets were adjusted to reflect the corrected numbers.

FFY 2006 Update to State Performance Plan Development

A stakeholder meeting was conducted on January 11, 2008. The methodology for calculating significant discrepancy was reviewed with the stakeholders. Difficulties in the current system were discussed and an alternate methodology was proposed. Targets for subsequent school years were reset.

NJOSEP explained that comparable data for general education students is not collected. Stakeholders believed that as part of the "drill down" process, NJOSEP should review available data for general education students, since it may inform the targeted review process of determining reasons for excessive suspensions and expulsions for greater than 10 days in a school year.

Stakeholder Meeting January 14, 2011:

A stakeholder meeting was conducted on January 14, 2011. Suspension/expulsion data from 2008-2009 that would be included in the FFY 2009 APR, as required by USOSEP, were presented. Stakeholders provided recommendations for targets for Indicator 4A for the two year SPP extension. Improvement activities were also discussed.

Monitoring Priority: FAPE in the LRE

Indicator #4A: Percent of districts identified by the State as having a significant discrepancy in the rates of suspensions and expulsions of children with disabilities for greater than 10 days in a school year.

Measurement:

4A. Percent = # of districts identified by the State as having significant discrepancies in the rates of suspensions and expulsions of children with disabilities for greater than 10 days in a school year divided by # of districts in the State times 100.

FFY 2006 Update – Revision to definition of "Significant Discrepancy"

"Significant discrepancy" is defined as a suspension rate of greater than five times the baseline statewide average (i.e., a rate of more than 3%)

FFY 2006 Update – Revision to definition of “Significant Discrepancy”

Rationale for Revision of Significant Discrepancy: To determine the percentage of school districts that were identified as having significant discrepancies in the rate of suspension/expulsions of students with disabilities for greater than 10 days in a school year, the districts were stratified into four groups by student enrollment according to the following:

- Under 2,000 students enrolled
- 2,000 to 5,000 students enrolled
- Over 5,000 to 10,000 students enrolled
- Over 10,000 students enrolled

The mean and standard deviation were calculated for each group using the unduplicated count of children with disabilities suspended or expelled for more than 10 school days. Significant discrepancy was defined as one standard deviation above the mean within each of four enrollment groups.

Based on three years of data, the continued use of a standard deviation has proven to be an unsatisfactory measure of significant discrepancy. As districts improve their performance by reducing the number students with disabilities suspended or expelled beyond 10 days, there is less variance among the districts. With the mean and standard deviation reducing, more rather than fewer districts are identified as having a significant discrepancy. For this reason, a new methodology is needed to ensure that significant discrepancy is measured appropriately and that districts with a significant discrepancy are accurately identified.

NJOSEP used a set number of times above the state average to determine significant discrepancy. This method was used by seven other states as stated in the *Analysis of Part B State Performance Plans (SPP) Summary Document, Compiled 8/01/07*, provided to the State's by USOSEP – page 68.

Specifically, first, NJOSEP calculated the baseline state average (i.e., a rate of .6%). Second, NJOSEP used a multiple of the baseline statewide average (i.e. more than 5 x the state average) to determine local districts demonstrating a significant discrepancy. Third, NJOSEP determined that a minimum enrollment of greater than 75 students with disabilities (i.e. 76 and greater) would be used to identify the districts with a significant discrepancy. A minimum number of more than 75 students with disabilities was used as small numbers of students with disabilities were found to distort percentages. In summary, school districts with more than 75 school-age students with disabilities that had a suspension rate of more than 3% percent were identified as having significant discrepancy in their rate among LEAs.

FFY 2006 Update to Overview of Issue/Description of System or Process

Describe how data are to be collected so that the State will be able to report “revised” baseline data and “revised targets”

In March of 2000, districts began reporting incidents of disciplinary action directly to the NJDOE over the Internet on the Electronic Violence and Vandalism Reporting System (EVVRS).

The collection of data for general education students relates only to the four categories of violence, vandalism, weapons and substance abuse. ***The collection of data with respect to students with disabilities is the same information required by Table 5, Section A, Columns 3A, 3B and 3C of the Report of Children with Disabilities Unilaterally Removed or Suspended/Expelled for More than 10 Days of the Annual Report of Children Served.***

The data collection for students with disabilities is not limited to the four categories of violence, vandalism, weapons and substance abuse. Rather, this collection includes disciplinary action for any violation of the school's code of conduct that results in removals

summing to more than 10 days or for a single episode that results in a removal for more than 10 consecutive days.

The following information is collected:

- The number of removals summing to 10 school days in a year
- The number of removals of more than 10 (consecutive) school days in a year
- The unduplicated count of students with disabilities
- The racial and ethnic background of the students.

Comparison Used to Examine Suspension and Expulsion Data: Given the differences in the two data collections described above, NJOSEP compared suspension and expulsion data **among local educational agencies within the State**, using data from the *Report of Children with Disabilities Unilaterally Removed or Suspended/Expelled for More than 10 Days* of the Annual Report of Children Served.

FFY 2006 Update to Baseline Data

Revision to Baseline Data from 2004-2005:

**1171 students with disabilities suspended beyond 10 days/194963 students with disabilities¹
= 0.6% x 5 = 3%**

20 districts with significant discrepancy/626² districts of residence = 3.2% of districts have significant discrepancy

February 2008 and February 2011 Update to Measurable and Rigorous Target

FFY	Revised Measurable and Rigorous Target
2005 (2005-2006)	Percent of districts identified as having a significant discrepancy in the rates of suspension and expulsion will be at or below 3.2%.
2006 (2006-2007)	Percent of districts identified as having a significant discrepancy in the rates of suspension and expulsion will be at or below 3.2%
2007 (2007-2008)	Percent of districts identified as having a significant discrepancy in the rates of suspension and expulsion will be at or below 3.2%

¹ This figure represents the number of students with disabilities of the districts that reported incidents of removals greater than 10 days.

² This figure includes charter schools. It does not include non-operating school districts or education services commissions, jointure commissions or special services school districts because these education agencies do not report suspensions or expulsions. They are reported by the sending districts. It should be noted that the number of districts may vary from year to year as charter schools open/or districts regionalize or dissolve regional relationships.

2008 (2008-2009)	Percent of districts identified as having a significant discrepancy in the rates of suspension and expulsion will be at or below 3.0%
2009 (2009-2010)	Percent of districts identified as having a significant discrepancy in the rates of suspension and expulsion will be at or below 2.8%.
2010 (2010-2011)	Percent of districts identified as having a significant discrepancy in the rates of suspension and expulsion will be at or below 2.6%.
2011 (2011-2012)	Percent of districts identified as having a significant discrepancy in the rates of suspension and expulsion will be at or below 1.5%.
2012 (2012-2013)	Percent of districts identified as having a significant discrepancy in the rates of suspension and expulsion will be at or below 1.3%.

Review of Policies, Procedures, and Practices:

a. NJOSEP's Targeted Review Process for Review of Policies, Procedures and Practices

For each district identified for a significant discrepancy in suspension/expulsion rates of children with disabilities for greater than 10 days in a school year, based on its analysis of suspension/expulsion data, a desk audit or an onsite targeted review of discipline compliance requirements, including policies, procedures and practices regarding development and implementation of IEPs, the use of positive behavioral interventions and supports and procedural safeguards is conducted. The targeted review includes record review, interviews with general and special education staff members, review of written policies, procedures and practices and review of district discipline and suspension data. District data, reported through the EVVRS, are reviewed and analyzed to identify the schools where most suspensions over 10 days occur. School-based discipline practices and tracking data are analyzed to identify noncompliance and patterns of suspension. Districts where data, interviews and record review indicate that policies, procedures and practices are not consistent with IDEA and N.J.A.C. requirements related to suspension and expulsion are identified as noncompliant and corrective action is required.

Technical assistance is provided, as needed, with regard to policies, procedures, and practices relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards. Districts are provided with resources, as needed, for additional information on compliant policies, procedures and practices related to positive behavioral interventions and supports, school-wide behavioral systems and federal and state regulations. A brochure outlining the IDEA and N.J.A.C. requirements related to suspension/expulsion, developed by NJOSEP, is also disseminated to district staff. Districts are provided with additional training as described below (see discussion of improvement activities).

Improvement Activities/Timelines/Resources:

NOTE: Activities that are ongoing and will be continued through 2012-2013 are represented by the symbol *.**

REVISION (FFY 2006) – Required Action: As per Table B – Previously identified Issues in the State Performance Plan – USOSEP's SPP Approval Letter, March 28 2006, NJOSEP was required to provide documentation of the results of its review of policies, procedures and practices relating to the development and implementation of IEPs, including the use of positive behavioral interventions and supports, and procedural safeguards, to ensure that

such policies, procedures, and practices comply with the Act, in those districts where significant discrepancies were identified.

- I. **Targeted Review of Discipline Requirements:** Based on the 2004-2005 data analysis, the 13 districts identified as having a significant discrepancy in the rates of suspensions and expulsions of children with disabilities for greater than 10 days in a school year will undergo a targeted review of discipline requirements to determine the status of compliance with regard to requirements related to discipline. Districts found to be noncompliant with regard to discipline requirements will be directed to correct noncompliance within a year. **(Activity 2005-2006)**

II. **Self-Assessment/Monitoring and Improvement Planning**

Annually, districts with a significant discrepancy in their rates of suspension and expulsions of children with disabilities for greater than 10 days overall and by race and ethnicity will be identified through analysis of data from the EVVRS.

For districts reviewed for compliance through self-assessment, NJOSEP has realigned its self-assessment/ monitoring system to be consistent with the SPP indicators. The new system links compliance, data and programming by requiring districts to review compliance in areas related to SPP indicators and their data compared to state targets. Following the review, conducted through self-assessment, districts must identify activities to correct noncompliance and activities for continuous improvement toward state SPP targets.

In the new monitoring cycle, districts identified for self-assessment that have not been identified as having a significant discrepancy in the rate of suspension and expulsion of students with disabilities for the previous year, complete a protocol comparing their policies, procedures and practices relative to best practice in positive behavioral interventions and supports to identify needs for continuous improvement and review compliance requirements related to discipline. Other related requirements, such as IEP provisions, will also be reviewed. Districts that self-identify noncompliance will be required to correct noncompliance within one year. Verification of progress toward correction will be conducted within six months of identification of noncompliance by monitors and supervisors of child study. Districts that identify needs for continuous improvement will be required to develop and implement improvement strategies to make progress toward the next year's SPP target. Improvement strategies will include, but not be limited to:

- District and building level data collection and analyses for suspension and expulsion rates as well as for Office Discipline Referrals;
- Review and revision of discipline policies and practices consistent with compliance requirements;
- Review of suspension notices, Functional Behavioral Assessments (FBAs), and IEPs to determine how challenging behavior of suspended students is being addressed;
- Review and revision of code of conduct to include positively stated expectations and recognition system;
- Development of building-wide system of positively stated expectations and recognition system;
- Development of targeted interventions for areas/programs with high rates of discipline problems;
- Development of consistent classroom management strategies;
- Development of functional behavioral assessments and design of student intervention programs;

- Development of targeted small group interventions focused on development of alternative skills and/or student support systems (e.g. mentoring/check in check out systems);
- Parent – Family Involvement;
- Linkages to support systems within and beyond the school (family and/or student support);
- Instructional Supports and Accommodations – (e.g. IEP accommodations, curricular modifications); and
- Review of discipline requirements with administrators assigned responsibility for discipline.

Based on the results of the self-assessment, NJOSEP will determine the type and extent of technical assistance needed, if any, to develop and implement improvement strategies. **(Activity: 2005-2006 through 2009-2010)**

III. Data Collection and Analysis:

NJOSEP will continue to analyze suspension/expulsion data to assure that all districts with significant discrepancies are identified and appropriate improvement strategies are implemented.

NJOSEP is conducting an analysis of data across SPP indicators in order to identify school districts that have not demonstrated progress in relation to several indicators. These data reviews will inform the targeting of districts for self-assessment/monitoring for the 2007-2008 school year. **(Activity 2005-2006)*****

IV. Information Dissemination: Revised Discipline Requirements

a. Policy/Regulatory Changes:

Changes in disciplinary requirements became effective on July 1, 2005. NJOSEP developed a guidance document to advise districts, parents and all persons interested in special education of the new requirements. Federal disciplinary requirements are being incorporated by reference into the New Jersey Administrative Code for special education (N.J.A.C. 6A:14). **(Activity: 2005-2006)*****

b. Discipline Requirements Brochure:

NJOSEP developed and distributed a two-page brochure outlining requirements for disciplinary action. **(Activity: 2005-2006)**

V. School-wide Positive Behavior Supports in Schools/Functional Behavioral Assessment and Positive Behavior Supports

- New Jersey Association of School Psychologists Network:** Ten New Jersey school districts have been implementing a system of school-wide positive behavior supports (SWPBS) in one or more school buildings as part of the NJSIG initiative to include an increased number of students with disabilities in general education programs. Several of these districts have demonstrated reduced “office discipline referrals” as well as improved school climates within a two year period.

Based on the effective application of the principles of school-wide positive behavior supports, NJOSEP, through the NJSIG partnership with the Boggs Center, UMDNJ, will

scale-up the use of school-wide behavior intervention strategies through a proactive collaboration with the New Jersey Association of School Psychologists. This collaboration is intended to result in the identification of 10 school districts (approximately 20 buildings) that have a data-based need to implement a school-wide system of positive behavior supports.

In July 2006 a group of school psychologists will participate in two days of training on school-wide positive behavior supports, along with their respective building leadership teams. Beginning in September 2006, the school psychologists will receive monthly technical assistance from NJSIG project staff to prepare them to facilitate their leadership teams to implement SWPBS. **(Activity: 2005-2006 through 2007-2008)**

VI. Data Review and Stakeholder Meetings: NJOSEP will develop a schedule for review and analyses of data for each SPP/APR indicator. Based on the schedule of data analyses, stakeholder meetings will be planned and implemented to review data, targets and improvement activities. **Information Dissemination: Discipline Requirements**

Discipline Requirements Brochure: In 2007-2008 NJOSEP revised and distributed a two-page brochure outlining requirements for disciplinary action. The revisions were made to clarify the discipline process consistent with IDEA 2004 and state requirements. The revised brochure is posted on the NJOSEP website at http://www.nj.gov/education/specialed/info/discipline_broch.pdf as a resource to districts and distributed to districts identified with a significant discrepancy in their suspension/expulsion rate. **(2009-2010 Activity)*****

Statewide Training on Discipline Requirements: During 2007-2008 NJOSEP completed statewide training of all local district special education administrators initiated in the prior year. Training on discipline requirements was conducted for approximately 100 local school district directors of special education and principals in two counties to complete the statewide training. In addition to the statewide training, discipline training continues to be provided on-site to selected districts as part of the self-assessment/monitoring process and at district request. The discipline training developed by NJOSEP was posted on the web in March of 2007 and updated in March 2008 to facilitate turnkey training by district personnel statewide. Training for districts is continues to be provided on a request basis by NJOEP monitors in collaboration with LRC consultants **(2009-2010 Activity)*****

State Capacity Building: NJOSEP is continuing to expand the use of positive behavior supports statewide through training and technical assistance initiatives conducted in collaboration with the Elizabeth M. Boggs Center, UMDNJ and through the efforts of NJOSEP's Learning Resource Center Network. Activities include: targeted training and technical assistance; statewide proactive training and technical assistance; implementation of a PBSIS network of districts and schools; and information/resource dissemination activities. 80 schools from 53 districts have been trained by the PBSIS State team and NJOSEP on PBSIS practices through 2009-2010. An additional group of 19 schools from 14 districts will receive training and technical assistance support during 2010-2011. These schools will begin implementation in 2011-2012. **(2009-2010 Activity)*****

a. Targeted Training and Technical Assistance on Positive Behavior Supports in Schools (PBSIS): NJOSEP's technical assistance and monitoring staff meet annually to review statewide district and school data and identify those districts and schools that might benefit from implementing a tiered system of school-wide positive behavioral supports. Districts identified include those who had high rates of suspension/expulsion for two or more consecutive years, high rates of student placements in separate special education settings, or disproportionate representation of specific racial/ethnic groups in special education and related services. During September, 2007, two recruitment sessions were held for identified districts to learn about NJOSEP's two-year training and technical assistance initiative on Positive Behavior Support in Schools (PBSIS). Through an application process, interested

districts were selected for participation beginning in the fall of 2007 through 2009. Another group of districts was selected through an application process following a recruitment event conducted in May of 2008. This second group of districts and schools received initial training and technical assistance during the 2008-2009 school year. During 2009-2010, this second group of districts and schools began implementation of PBSIS practices with continued training and technical assistance support. Following four sessions of recruitment events in May 2010, a third group of districts was selected for participation in the PBSIS Initiative through an application process. These schools will begin training in PBSIS practices in the fall of 2010 and continue through spring 2011. Additional training and technical assistance will be provided to assist implementation of PBSIS practices in the fall of 2011 through spring 2012.

Participating districts/schools received the following training and technical assistance support:

- School-wide practices (Tier 1) - Training and support for school-wide teams and building coaches who will lead the implementation of school-wide positive behavior practices within their buildings on:
 - school-wide assessment of building climate and behavior to establish priorities for interventions;
 - developing staff, community and student buy-in for PBSIS;
 - proactive practices for teaching and recognizing positive behavior;
 - analysis of Office Discipline Referral procedures and forms for intervention decisions and monitoring effectiveness of PBSIS interventions;
 - school-wide targeted interventions based on data analysis; and
 - effective classroom management strategies that promote inclusive classroom environments.
- Targeted student interventions (Tiers 2 and 3)
 - proactive targeted interventions for students with challenging behavior;
 - best practices for Function of Behavior Analysis and Behavior Intervention Plans (FBA and BIPs); and
 - self-assessment of FBA and BIP practices following training. **(2009-2010 Activity)*****

b. Statewide Training and Technical Assistance for Positive Behavior –Supports: Training and technical assistance on positive behavior supports (PBS) continues to be provided statewide through the Boggs Center's Statewide Team for PBSIS in collaboration with the Learning Resource Center (LRC) Network. During 2009-2010, trainings were conducted on Functional Behavioral Assessment and Design of Behavior Intervention Plans. **(Activity 2009-2010)*****

c. PBSIS Network of Districts and Schools: In order to maintain and extend PBSIS practices by districts/schools who are implementing positive behavior supports, technical assistance support is provided through email and phone support by both the LRCs and the Boggs Center's PBSIS State Team. In addition, these districts/schools have been invited to further trainings to enhance practices including training on small group interventions and FBA/BIP. Follow-up with these districts indicated that schools who were implementing PBSIS practices reported improved school climate, reduced office discipline referrals and increased use of data to plan effective school-wide interventions. As part of this effort, a Coaches

Network has been created to provide ongoing training opportunities for coaches of all implementing PBSIS schools. During 2009-2010, two coaches' events were held that provided an opportunity for coaches to network, share resources, and problem solve around areas of implementation. **Activity 2009-2010)*****

d. Resource and Information Dissemination: NJPBSIS website: To provide information statewide on PBSIS practices, NJOSEP supports the development and maintenance of a PBSIS website operated by the Boggs Center PBSIS State Team. The website contains information on promising practices in New Jersey as well as materials, tools, the New Jersey PBSIS newsletter and resource information. There is a special section for parents and for coaches to provide information on PBSIS practices. The website has received more than 145,179 visits since the launch of the website with over 34,061 visits during 2009-2010. **(Activity 2009-2010)*****

Indicator # 4B: Suspension by Race/Ethnicity

Part B State Performance Plan (SPP) for FFY 2005-2012

New Indicator for FFY 2009 SPP Revision

Overview of the State Performance Plan Development:

At a stakeholder meeting convened on January 14, 2011, NJOSEP reviewed the process for identifying districts with significant discrepancies in suspension/expulsion rates by race or ethnicity. Stakeholders were provided information regarding the number of districts that were identified as having a significant discrepancy, by race or ethnicity, in the rates of suspensions and expulsions of greater than 10 days in a school year for children with IEPs, and the number of districts in which policies, procedures or practices contributed to the significant discrepancy and did not comply with requirements relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards. Improvement activities, including technical assistance and training regarding implementation of positive behavioral interventions and supports, were also discussed.

Monitoring Priority: FAPE in the LRE

Indicator 4B: Rates of suspension and expulsion:

Percent of districts that have: (a) a significant discrepancy, by race or ethnicity, in the rate of suspensions and expulsions of greater than 10 days in a school year for children with IEPs; and

(b) policies, procedures or practices that contribute to the significant discrepancy and do not comply with requirements relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards.

(20 U.S.C. 1416(a)(3)(A); 1412(a)(22))

Measurement:

Percent = [(# of districts that have: (a) a significant discrepancy, by race or ethnicity, in the rates of suspensions and expulsions of greater than 10 days in a school year of children with IEPs; and (b) policies, procedures or practices that contribute to the significant discrepancy and do not comply with requirements relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards) divided by the (# of districts in the State)] times 100.

Overview of Issue/Description of System or Process:

NJOSEP, with technical assistance provided through the USDOE, Office for Civil Rights, developed a process for determining disproportionate representation **for Indicators 4B, 9 and 10**. NJOSEP's process involves the use of multiple measures to statistically determine disproportionate representation. This process was used to identify districts with significant discrepancies in their suspension and expulsion rates by race/ethnicity for the 2008-2009 suspension/expulsion data. NJOSEP determined whether significant discrepancies by race or ethnicity were occurring in each LEA by comparing the rates of expulsions and suspensions of greater than 10 days in a school year for children with IEPs among LEAs in the State (34 CFR §300.170(a)).

State's definition of "significant discrepancy"

NJOSEP defined a district with a "significant discrepancy" in suspension/expulsion rates by race or ethnicity as a district with: (a) risk ratio of greater than 1.5; (b) a level of significance of less

than or equal to .05 calculated using the Fisher Exact test; and (c) an impact (see methodology) number of more than 8 students in the specific racial or ethnic category.

Methodology

NJOSEP's process involved the use of multiple measures to statistically determine significant discrepancy in suspension/expulsion rates separately for each of the required racial or ethnic categories.

The measures included three descriptive statistics:

- unweighted risk ratio
- risk rate comparison
- a measure of impact comparing expected vs. observed numbers of students identified as eligible for special education

The measures included a statistical test of significance – Fisher Exact.

In order to determine **significant discrepancies**, districts were ranked on each of the three measures (risk ratio, risk rates, and a measure of impact (i.e. number of students impacted by the disproportionality (over-identification) using the FFY 2008 suspension/expulsion data. A combined rank was calculated. Districts were identified as significant if they met the three criteria listed in the definition of significant discrepancy above. Data were analyzed for each district, for all required racial/ethnic groups in the district, for children aged 6 through 21 served under IDEA. No districts were eliminated due to a small 'n' size.

Using the criteria established above, NJOSEP determined that **11 school districts** met the definition of significant discrepancy for Indicator 4B.

For each of the 11 districts identified with a significant discrepancy, a targeted review of policies, procedures and practices was conducted. Monitors reviewed district and school policies and procedures, student data, suspension data, IEPs and other documentation and interviewed staff members. Noncompliance was identified in 7 of the 11 districts related to development of behavior intervention plans when required, notifying case managers when students are suspended and provision of services by day 11 of suspension. Districts received a written report of findings with specific correction actions to ensure correction and timelines for completion. Correction is being verified through desk audit and onsite visits. Corrective actions include revision or development of policies and procedures related to discipline requirements and positive behavioral interventions and supports, revision of IEPs, provision of services to students and implementation of requirements and oversight of implementation. Correction is verified consistent with the USOSEP Memorandum 09-02 dated October 17, 2008 and NJOSEP will report on correction of the findings in the FFY 2010 APR.

Baseline Data for FFY 2009 (using 2008-2009 data):

7 districts, or 1.13% ($7/619 = .0113 \times 100$) demonstrated: a significant discrepancy, by race or ethnicity, in the rate of suspensions and expulsions of greater than 10 days in a school year for children with IEPs; and (b) policies, procedures or practices that contribute to the significant discrepancy and do not comply with requirements relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards.

FFY	Measurable and Rigorous Target
2009 (using 2008- 2009 data)	0%
2010	0%

(using 2009-2010 data)	
2011 (using 2010-2011 data)	0%
2012 (using 2011-2012 data)	0%

Discussion of Baseline Data:

Baseline data is being reviewed to identify patterns of significant discrepancy in specific schools in identified districts. Root causes for noncompliance have been identified and lack of implementation of policies and procedures and failure to develop behavior intervention plans. Services were also not provided to some students in identified districts.

4B(a). LEAs with Significant Discrepancy, by Race or Ethnicity, in Rates of Suspension and Expulsion:

Year	Total Number of LEAs*	Number of LEAs that have Significant Discrepancies by Race or Ethnicity	Percent
FFY 2009 (using 2008-2009 data)	619*	11**	1.78%

*Denominator includes all districts in the state

**No districts were eliminated from the calculations due to a small 'n' size.

4B(b). LEAs with Significant Discrepancy, by Race or Ethnicity, in Rates of Suspensions and Expulsions; and policies, procedures or practices that contribute to the significant discrepancy and do not comply with requirements relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards.

Year	Total Number of LEAs*	Number of LEAs that have Significant Discrepancies, by Race or Ethnicity, and policies, procedures or practices that contribute to the significant discrepancy and do not comply with requirements relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards.	Percent**
FFY 2009 (using 2008-2009 data)	619*	7**	1.13%

*Denominator includes all districts in the state

**No districts were eliminated from the calculations due to a small 'n' size.

Review of Policies, Procedures, and Practices *(completed in FFY 2009 using 2008-2009 data)*

a. NJOSEP's Targeted Review Process for Review of Policies, Procedures and Practices

A targeted review was conducted in each district identified with a significant discrepancy in suspension/expulsion rates of children with disabilities for greater than 10 days in a school year

by race or ethnicity, based on the analysis of FFY 2008 data. The review was conducted through a desk audit or an onsite targeted review of discipline compliance requirements, including policies, procedures and practices regarding development and implementation of IEPs, the use of positive behavioral interventions and supports and procedural safeguards was conducted. The targeted review included: (a) record review; (b) interviews with general and special education staff members; (c) review of written policies, procedures and practices; and (d) review of district discipline and suspension data. District data, reported through the EVVRS, were reviewed and analyzed to identify the schools where most suspensions over 10 days occurred. School-based discipline practices and tracking data were analyzed to identify noncompliance and patterns of suspension. Districts where data, interviews and record review indicated that policies, procedures and practices were not consistent with IDEA and N.J.A.C. requirements related to suspension and expulsion were identified as noncompliant, issued written findings of noncompliance, and corrective action was required.

Technical assistance was provided, as needed, with regard to policies, procedures, and practices relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, procedural safeguards and delivery of services to students. Districts were provided with resources, as needed, for additional information on compliant policies, procedures and practices related to positive behavioral interventions and supports, school-wide behavioral systems and federal and state regulations. A brochure outlining the IDEA and N.J.A.C. requirements related to suspension/expulsion, developed by NJOSEP, was also disseminated to district staff. Districts were provided with additional training as described below (see discussion of improvement activities).

b. Results of the Review: For each district identified with a significant discrepancy in the suspension/expulsion rate for FFY 2008, following the targeted review, a report was generated that included an analysis of the district suspension/expulsion data reported in the EVVRS, an analysis of data obtained during the onsite review and any findings of noncompliance. Among the 11 districts that received the targeted review, a total of 25 findings of noncompliance were made in 7 districts.

c. Changes to LEA policies, procedures, and practices relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards

For each of the 25 findings of noncompliance, a corrective action(s) was directed by the NJOSEP that included a timeline for completion or submission of documentation. Corrective actions included revisions of written policies, procedures, training for staff, activities related to implementation of procedures and/or ongoing oversight of the implementation of policies and procedures to address the root causes of the noncompliance. Timelines in the reports were established to ensure correction within one year of identification. The reports were sent to the chief school administrator. The one-year timeline for correction has not yet expired.

To verify correction of noncompliance consistent with OSEP Memorandum 09-02, the NJOSEP monitors determine, through desk audit or onsite visit, that each LEA with a finding of noncompliance:

- **is correctly implementing the specific regulatory requirements by reviewing updated data that demonstrate compliance; and**
- **has corrected each individual case of noncompliance, unless the child is no longer within the jurisdiction by reviewing a sample of the files where noncompliance was identified.**

The NJOSEP continues to work with districts to ensure correction of noncompliance in accordance with the OSEP 09-02 memo. Monitors provide technical assistance to districts to assist with the development of compliant policies and practices. NJOSEP staff members from the

Learning Resource Centers, in collaboration with the monitors, also provide technical assistance on the development of policies, procedures and practices related to positive behavioral supports in districts with high rates of suspension. All districts identified for a significant discrepancy in their suspension and expulsion rates are invited to specific training and ongoing technical assistance opportunities to assist with correction of noncompliance and implementation of best practices in implementing positive behavioral support systems, differentiated instruction and placement in the least restrictive environment.

Improvement Activities/Timelines/Resources:

NOTE: Activities that occurred in 2009-2010 and that are ongoing during the course of the SPP, including FFY 2009 through FFY 2012, are represented by the symbol *.**

Data Analysis: NJOSEP will conduct analysis of discrepancy data and finding of noncompliance to identify patterns of noncompliance by race/ethnicity. These data will be used to inform training and technical assistance activities related to discipline. **(Activity 2010-2011)*****

Discipline Requirements Brochure: In 2007-2008 NJOSEP revised and distributed a two-page brochure outlining requirements for disciplinary action. The revisions were made to clarify the discipline process consistent with IDEA 2004 and state requirements. The revised brochure is posted on the NJOSEP website at http://www.nj.gov/education/specialed/info/discipline_broch.pdf as a resource to districts and distributed to districts identified with a significant discrepancy in their suspension/expulsion rate. **(2009-2010 Activity)*****

Statewide Training on Discipline Requirements: During 2007-2008 NJOSEP completed statewide training of all local district special education administrators initiated in the prior year. Training on discipline requirements was conducted for approximately 100 local school district directors of special education and principals in two counties to complete the statewide training. In addition to the statewide training, discipline training continues to be provided on-site to selected districts as part of the self-assessment/monitoring process and at district request. The discipline training developed by NJOSEP was posted on the web in March of 2007 and updated in March 2008 to facilitate turnkey training by district personnel statewide. Training for districts continues to be provided on a request basis by NJOEP monitors in collaboration with LRC consultants. **(2009-2010 Activity)*****

State Capacity Building: NJOSEP is continuing to expand the use of positive behavior supports statewide through training and technical assistance initiatives conducted in collaboration with the Elizabeth M. Boggs Center, UMDNJ and through the efforts of NJOSEP's Learning Resource Center Network. Activities include: targeted training and technical assistance; statewide proactive training and technical assistance; implementation of a PBSIS network of districts and schools; and information/resource dissemination activities. 80 schools from 53 districts have been trained by the PBSIS State team and NJOSEP on PBSIS practices during 2009-2010. An additional group of 19 schools from 14 districts will receive training and technical assistance support during 2010-2011. These schools will begin implementation in 2011-2012. **(2009-2010 Activity)*****

- a. Targeted Training and Technical Assistance on Positive Behavior Supports in Schools (PBSIS):** NJOSEP's technical assistance and monitoring staff meet annually to review statewide district and school data and identify those districts and schools that might benefit from implementing a tiered system of school-wide positive behavioral supports. Districts identified include those who had high rates of suspension/expulsion for two or more consecutive years, high rates of student placements in separate special education settings, or disproportionate representation of specific racial/ethnic groups in special education and related services. During September, 2007, two recruitment sessions were held for identified districts to learn about NJOSEP's two-year training and technical assistance initiative on Positive Behavior Support in Schools (PBSIS). Through an application process, interested districts were selected for participation beginning in the fall of 2007 through 2009. Another group of districts was selected through an application process following a recruitment event

conducted in May of 2008. This second group of districts and schools received initial training and technical assistance during the 2008-2009 school year. During 2009-2010, this second group of districts and schools began implementation of PBSIS practices with continued training and technical assistance support. Following four sessions of recruitment events in May 2010, a third group of districts was selected for participation in the PBSIS Initiative through an application process. These schools will begin training in PBSIS practices in the fall of 2010 and continue through spring 2011. Additional training and technical assistance will be provided to assist implementation of PBSIS practices in the fall of 2011 through spring 2012.

Participating districts/schools received the following training and technical assistance support:

- School-wide practices (Tier 1) - Training and support for school-wide teams and building coaches who will lead the implementation of school-wide positive behavior practices within their buildings on:
 - school-wide assessment of building climate and behavior to establish priorities for interventions;
 - developing staff, community and student buy-in for PBSIS;
 - proactive practices for teaching and recognizing positive behavior;
 - analysis of Office Discipline Referral procedures and forms for intervention decisions and monitoring effectiveness of PBSIS interventions;
 - school-wide targeted interventions based on data analysis; and
 - effective classroom management strategies that promote inclusive classroom environments.
- Targeted student interventions (Tiers 2 and 3)
 - proactive targeted interventions for students with challenging behavior;
 - best practices for Function of Behavior Analysis and Behavior Intervention Plans (FBA and BIPs); and
 - self-assessment of FBA and BIP practices following training. **(2009-2010 Activity)*****

b. Statewide Training and Technical Assistance for Positive Behavior Supports: Training and technical assistance on positive behavior supports (PBS) continues to be provided statewide through the Boggs Center's Statewide Team for PBSIS in collaboration with the Learning Resource Center (LRC) Network. During 2009-2010, trainings were conducted on Functional Behavioral Assessment and Design of Behavior Intervention Plans. **(Activity 2009-2010)*****

c. PBSIS Network of Districts and Schools: In order to maintain and extend PBSIS practices by districts/schools who are implementing positive behavior supports, technical assistance support is provided through email and phone support by both the LRCs and the Boggs Center's PBSIS State Team. In addition, these districts/schools have been invited to further trainings to enhance practices including training on small group interventions and FBA/BIP. Follow-up with these districts indicated that schools who were implementing PBSIS practices reported improved school climate, reduced office discipline referrals and increased use of data to plan effective school-wide interventions. As part of this effort, a Coaches Network has been created to provide ongoing training opportunities for coaches of all implementing PBSIS schools. During 2009-2010, two coaches' events that provided an opportunity for coaches to network, share resources, and problem solve around areas of implementation were held. **(Activity 2009-2010)*****

d. Resource and Information Dissemination: NJPBSIS website: To provide information statewide on PBSIS practices, NJOSEP supports the development and maintenance of a PBSIS website operated by the Boggs Center PBSIS State Team. The website contains

information on promising practices in New Jersey as well as materials, tools, the New Jersey PBSIS newsletter and resource information. There is a special section for parents and for coaches to provide information on PBSIS practices. The website has received more than 145,179 visits since the launch of the website with over 34,061 visits during 2009-2010. **(Activity 2009-2010)*****

Indicator # 5: School Age LRE

Part B State Performance Plan (SPP) for 2005-2012

Revised 2/1/11 to Reflect FFY 2011 and FFY 2012 SPP/APR Extension

Overview of the State Performance Plan Development: School Age LRE

Indicator # 5, Placement in the Least Restrictive Environment for students with disabilities, ages 6 to 21, was discussed at the second stakeholder meeting held on November 3, 2005. NJOSEP staff presented an overview of the SPP requirements for Indicator # 5 and reviewed the most recent baseline data and trend data for three school years beginning with the 2002-2003 school year and ending with the 2004-2005 school year. The data presented included a comparison of statewide placement data with the national baseline for all students with disabilities and a comparison of the placement data by eligibility category with state and national data. The review also noted where there were improvements in the last three years as well as where slippage had occurred. While NJOSEP staff reviewed data on the three placement categories to be addressed in the SPP, emphasis was focused on the category of separate settings as the percent of students with disabilities educated in separate settings in New Jersey is slightly more than two and a half times the national average.

Additionally, NJOSEP staff discussed regulations proposed to the New Jersey State Board of Education, on November 2, 2005, supporting the placement of students with disabilities in general education programs.

Stakeholder Input:

A discussion with the stakeholder group ensued, regarding possible reasons for the high percentage of students with disabilities being educated in separate settings. The following explanations were offered by the stakeholders:

- A history of private schools within the state
- Lack of space within district
- Parental preference
- Low incidence populations
- A perception that districts do not have the expertise to instruct students with challenging academic and behavioral needs
- The lack of specialized programs being operated on the site of public school campuses
- A lack of funding/incentives to establish programs within school districts

The following points were also discussed:

- To move a percentage point in one category means changing the placements of more than 2100 students with disabilities for the first year.
- The system is fluid with students entering and exiting the system as well as students moving in and out of placement categories.
- Changes in the percentage of students educated in separate settings may initially increase the percentage of students who are removed from the general education classroom for more than 60% of the day.

Following the presentation of data and the large group discussion, the stakeholders were divided into four groups to set targets and identify strategies that would likely be effective in meeting the targets. This small group activity was facilitated by Dr. Kristin Reedy, NERRC.

With respect to setting targets for placement in a separate setting, the stakeholders seemed to reach consensus and suggested a target of 8% by the 2010-11 school year. Suggested strategies to meet the targets included:

- Continue to review data:
 - Look at the number of students who are in 40% to 80% category for movement in the system
 - By age, race and district size
 - Determine the category of disability for students who are placed in out of district placements
- Focus new construction on the needs of students with disabilities
- Training
 - Training staff in general classrooms on how to work with students who have mild cognitive disabilities
 - All staff should be trained on least restrictive environment
 - Educate parents on the benefits of inclusion
- Review policies at the district level
- Create guidelines for districts to follow
- Promote creative partnerships between school districts and separate private and public schools to develop inclusive programs and models
 - Give grants to increase funding to bring students back into district
- Each student placed in separate settings should have a plan for transitioning the student back into the district
 - Involve parents in the planning process
- Districts should have a staff person “dedicated” to promoting inclusion
 - Administrators of successful inclusion efforts should mentor administrators of districts in need
- Positive outcomes of inclusion should be reported
 - Achievement data
 - Reallocation of staff resources
 - Fiscal savings

All participants agreed that additional meetings are needed to further review the topic of LRE and determine whether any adjustments might be needed in the targets or improvement activities/strategies.

Stakeholder Meeting January 14, 2011:

At a stakeholder meeting convened on January 14, 2011, NJOSEP presented LRE data demonstrating that New Jersey met all three targets for this indicator. Improvement activities were reviewed. Stakeholders provided input regarding targets for the two-year extension of the SPP and improvement activities.

Monitoring Priority: FAPE in the LRE

Indicator 5: Percent of children with IEPs aged 6 through 21 served:

A. Inside the regular class 80% or more of the day;

B. Inside the regular class less than 40% of the day; or

C. In separate schools, residential placements, or homebound /hospital placements.

(20 U.S.C. 1416(a)(3)(A))

Measurement:

- A. Percent = [(# of children with IEPs served inside regular class 80% or more of the day) divided by the (total # of students aged 6 through 21 with IEPs)] times 100.
- B. Percent = [(# of children with IEPs served inside the regular class less than 40% of the day) divided by the (total # of students aged 6 through 21 with IEPs)] times 100.
- C. Percent = [(# of children with IEPs served in separate schools, residential placements, or homebound/hospital placements) divided by the (total # of students aged 6 through 21 with IEPs)] times 100.

Overview of Issue/Description of System or Process:

New Jersey regulations at Chapter 6A:14 require that all students be educated in the least restrictive environment, and that the first consideration for placement of all students shall be the general education classroom. Determination of restrictiveness of placement is in accordance with the above measurements.

Baseline Data for FFY 2004 (2004-2005):

- A. **41.9% of students with disabilities were removed from regular class less than 21% of the day**
- B. **17.8% of students with disabilities were removed from regular class greater than 60% of the school day**
- C. **10.3% of students with disabilities were served in public or private separate schools, residential placements, or homebound or hospital placements**

Discussion of Baseline Data:

To assist in establishing the targets and to obtain information regarding strategies that would likely result in meeting the targets, the NJOSEP reviewed statewide trend data for the last three years according the placement categories addressed in the SPP.

Table 1
Statewide Trend Data

School Year	Removed < 21% #	%	Removed >60% #	%	Separate Settings #	%	# of SWD
02-03	84,425	41.2	35,948	17.5	21,055	10.3	205,077
03-04	86,869	41.6	36,108	17.3	21,469	10.3	208,804

04-05	88,870	41.9	37,769	17.8	21,848	10.3	212,258
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Statewide trend data, Table 1 above, revealed that the percentage of students with disabilities removed from the general education setting less than 21% of the day has slowly and steadily increased since the 2002-2003 school year, which represents improvement. The percentage of students with disabilities removed from general education settings for more than 60% of the day has increased by 1.7% from the 2002-2003 school year. It is not possible to determine with certainty whether this represents improvement or set back as the data system does not have the capability of tracking individual students to determine where the students were placed previously or whether these are students entering the system for the first time. Additionally, the data revealed that the percentage of students with disabilities who are placed in separate settings has remained constant over the last three years.

The percentage of students removed for less than 21%³ or removed for greater than 60%⁴ of the day is near the national average, while the percentage of students with disabilities in separate settings⁵ is approximately two and a half times greater than the national average. While continuing efforts to improve opportunities for students with disabilities to be included in general education settings, the NJOSEP will pay particular attention to reducing the percentage of students with disabilities who are placed in separate settings. Towards that end, NJOSEP reviewed additional data including the percentage of students within an eligibility category placed in separate settings, improvement or slippage and the percentage of students placed in separate settings by eligibility category compared with all students with disabilities in separate settings.

Table 2
Eligibility Category: Multiply Disabled

School Year	# Removed <21%	%	# Removed >60%	%	# Separate Settings	%	# of Students MD
02-03	2,650	11.2	7,169	30.3	8,840	37.3	23,688
03-04	2,941	11.8	7,283	29.2	9,144	36.6	24,953

³ The numbers and percentages cited here differ from those reported to the US Department of Education (USDOE) on the December 1 counts because they do not include students with disabilities served in nonpublic schools. For the 04-05 school year, the percentage of students reported to USDOE who were removed from the general education setting less than 21% of the day is 46%. This represents a 4% difference from the national baseline of 50%.

⁴ The numbers and percentages cited here differ from those reported to the US Department of Education on the December 1 counts because they do not include students with disabilities served in nonpublic schools. For the 04-05 school year, the percentage of students reported to the USDOE who were removed for more than 60% of the day is 16%. This represents a 3% difference from the national baseline of 19%.

⁵ The numbers and percentages cited here differ from those reported to the US Department of Education (USDOE) on the December 1 counts because they do not include students with disabilities served in nonpublic schools. For the 04-05 school year, the percentage of students reported to the USDOE who were placed in separate settings was 9.6%. This represents a two and a half times the national baseline of 3.8%.

04-05	3,357	12.7	7,772	29.4	9,487	35.9	26415
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As reflected in Table 2 above, there has been a steady increase in the percentage of students in the Multiply Disabled (MD) eligibility category, who are removed for less than 21% of the day (an 11.8% increase from the 02-03 school year). However, the percentage of students in the MD eligibility category who are removed from general education less than 21% of the day is 12.7% as compared with the state rate of 41.9%. Almost 36% of students in the MD eligibility category are placed in separate settings. While there has been a steady decrease (a 3.8% decrease from the 02-03 school year) in the percentage of students that are placed in separate settings, the percentage is more than three times the state rate of all students with disabilities in separate settings.⁶ Additionally, students in the MD eligibility category represent 12.4% of all students with disabilities in New Jersey and 43.2% of all students placed in separate settings for the 04-05 school year.

Table 3
Eligibility Category: Emotionally Disturbed

School Year	# Removed <21%	%	# Removed >60%	%	# Separate Settings	%	# of Students ED
02-03	2,961	21.8	2,775	20.4	4,617	34	13,599
03-04	3,102	23.5	2,651	20.1	4,408	33.4	13,189
04-05	3,039	24.0	2,627	20.7	4,152	32.8	12,677

Table 3 above, indicates that there has been a steady increase in the percentage of students removed for less than 21% of the day (a 10% increase from the 02-03 school year). However, 24% of students in the Emotionally Disturbed (ED) eligibility category are removed from the general education setting less than 21% of the day as compared with the state rate of 41.9% for all students with disabilities. However, nationally, the percentage of students in the ED eligibility category, removed from the general education setting for less than 21% of the day, is 30%.⁷ Approximately 33% of students in the ED eligibility category are placed in separate settings. While there has been a steady decrease in the percentage of students placed in separate settings (a 5.8% decrease from the 02-03 school year), the percentage of students in the ED eligibility category placed in separate settings is three times the state rate of all students with disabilities in separate settings. In addition, the percentage of students in the ED eligibility

⁶ National data for students who are Multiply Disabled are reported together with data for other low prevalence disabilities. Therefore, no comparison with national data is offered with respect to this eligibility category.

⁷ Based on the December 1, 2003 count updated as of July 31, 2004 and reported by the U.S. Department of Education, Office of Special Education Programs, Data Analysis System.

⁸ Based on the December 1, 2003 count updated as of July 31, 2004 and reported by the U.S. Department of Education, Office of Special Education Programs, Data Analysis System.

category educated in separate settings in New Jersey is approximately twice the national baseline (16.9%)⁸ of students in the ED eligibility category placed in separate settings. Additionally, students in the ED eligibility category represent 6% of all students with disabilities in New Jersey and 19% of all students placed in separate settings for the 04-05 school year.

Table 4
Eligibility Category: Specific Learning Disability

School Year	# Removed <21%	%	# Removed >60%	%	# Separate Settings	%	# of Students SLD
02-03	41,042	39.7	16,258	15.7	2,142	2	103,324
03-04	41,412	40.7	15,639	15.4	2,107	2	101,760
04-05	41,001	41.2	15,766	15.8	2,094	2	99,528

Students in the Specific Learning Disability (SLD) eligibility category, Table 4 above, represent 47% of all students with disabilities in New Jersey. The data revealed that the distribution of these students is near the national baseline (49%) for the percentage of students in the SLD eligibility category removed for less than 21% of the day and is slightly above the national baseline (13%) for students in the SLD eligibility category removed more than 60% of the day. Although the percentage is significantly below the state baseline, the percentage of students in the SLD eligibility category is twice the national baseline (1%) for students in the SLD eligibility category in separate settings.

Table 5
Eligibility Category: Autistic

School Year	# Removed <21%	%	# Removed >60%	%	# Separate Settings	%	# of Students Autistic
02-03	576	13.8	1,159	27.9	2,022	48.6	4,161
03-04	747	15.2	1,378	28.0	2,293	46.6	4,919
04-05	927	16.2	1,651	28.8	2,553	44.5	5,738

There has been a 17.4% increase from the 02-03 school year in the percentage of students in the Autistic eligibility category who have been removed for less than 21% of the day (Table 5 above). While this represents significant improvement, the percentage of students in the Autistic category, who are removed from the general education setting less than 21% of the day, is 16.2% as compared with the state rate of 41.9%. While there has been a 6.4% decrease in the percentage of students in the Autistic category placed in separate settings from the 02-03 school year, the percentage of students in the Autistic category placed in separate settings is four times the state rate of all students with disabilities in separate settings.⁹ Additionally, students in the Autistic category represent 2.7% of all students with disabilities in New Jersey and 11.7% of all students with disabilities placed in separate settings for the 04-05 school year.

Table 6
Eligibility Category - Other Health Impaired

School Year	# Removed <21%	%	# Removed >60%	%	# Separate Settings	%	# of Students OHI
02-03	6,098	46.9	1,846	14.2	840	6.5	13,009
03-04	7,793	48	2,179	13.4	964	5.9	16,225
04-05	9,345	48	2,596	13.4	1,130	5.9	19,252

As indicated in Table 6 above, forty-eight percent (48%) of students in the Other Health Impaired (OHI) eligibility category are removed for less than 21% of the day. The percentage exceeds the state baseline and is almost on par with the national baseline. The percentage represents a 2% increase from the 02-03 school year. The percentage of students in the OHI category who are placed in separate settings is almost 6%. There has been a 9% decrease in the percentage of students in the OHI category placed in separate settings from the 02-03 school year. The percentage of students in the OHI category who are placed in separate settings is approximately one and a half times the national baseline, but less than the state rate of all students with disabilities in separate settings. Additionally, students in the OHI category represent 9% of all students with disabilities in New Jersey and 5.2 % of all students with disabilities placed in separate settings for the 04-05 school year.¹⁰

⁹ National data for students with Autism are reported together with data for students with low prevalence disabilities including multiple disabilities, deaf-blind, traumatic brain injury, hearing impairments and visual impairments. Therefore, no comparison with national data is offered.

¹⁰ National data for students who are other health impaired are reported together with data for students with orthopedic impairments. Therefore, no comparison with national data is offered.

Table 7
Eligibility Category: Mental Retardation

School Year	# Removed <21%	%	# Removed >60%	%	# Separate Settings	%	# of Students MR
02-03	409	6.6	3030	48.8	1394	22.5	6,209
03-04	413	6.5	3115	49.3	1409	22.3	6,322
04-05	304	4.8	3271	51.9	1340	21.2	6,306

Approximately 5% of students in the Mental Retardation (MR) eligibility category are removed for less than 21% of the day as compared with 41.9% of all students with disabilities (Table 7 above). This represents a 25.6% decrease from the 02-03 school year. More than half of all students in the MR category are removed from the general education setting for more than 60% of the day. This is almost three times the state baseline. The percentage of students in the MR category placed in separate settings is 21.2% and has decreased from the 02-03 school year by 5.8%. However, the percentage of students in the MR category in separate settings is twice the state average for all students with disabilities in separate settings. Additionally, the percentage of students in the MR category who are served in separate settings is more three times the national baseline (6.3%) of students in the MR category in separate settings. Students in the MR category represent .03% of all students with disabilities in New Jersey and 6.1 % of all students with disabilities placed in separate settings for the 04-05 school year.

The USDOE reports data for low prevalence disabilities which includes students with Hearing Impairment, Traumatic Brain Injury, Deaf-Blindness, Autism and Visually Impairments. The national baseline for students with low prevalence disabilities in separate settings is 16.4%¹¹. In New Jersey, 35.9% of students with low prevalence disabilities were placed in separate settings for the 04-05 school year.

Summary:

Students in the SLD eligibility category represent almost half of the students with disabilities in New Jersey. The distribution of these students across placement categories appears to approximate state and national baselines with respect to students who are removed for less than 21% of the day and who are removed for more than 60% of the day. However, with respect to students with SLD who are served in separate settings, the percentage in New Jersey is twice the national baseline. Thus, while NJOSEP must remain vigilant to ensure that districts continue to provide opportunities in the general education setting for students in the SLD category, efforts must also focus on students in other eligibility categories. Students who are in the MD, Autism, ED or MR eligibility categories collectively represent approximately 21% of all students with disabilities in New Jersey (45,574 students with disabilities). However, they represent 80% of the students with disabilities served in separate settings. Efforts to include students with disabilities in general education settings must focus on students in these eligibility categories.

¹¹ Based on the December 1, 2003 count updated as of July 31, 2004 and reported by the U.S. Department of Education, Office of Special Education Programs, Data Analysis System.

FFY	Measurable and Rigorous Target
2005 (2005-2006)	<p>A. 41.9 percent of students with disabilities will be removed from regular class less than 21% of the day.</p> <p>B. 17.8 percent of students with disabilities will be removed from regular class greater than 60% of the day.</p> <p>C. 10.3 percent of students with disabilities served in public or private schools, residential placements or homebound or hospital placements.</p>
2006 (2006-2007)	<p>A. 42.1 percent of students with disabilities will be removed from regular class less than 21% of the day.</p> <p>B. 18.0 percent of students with disabilities will be removed from regular class greater than 60% of the day.</p> <p>C. 10.0 percent of students with disabilities served in public or private schools, residential placements or homebound or hospital placements.</p>
2007 (2007-2008)	<p>A. 42.5 percent of students with disabilities will be removed from regular class less than 21% of the day.</p> <p>B. 18.5 percent of students with disabilities will be removed from regular class greater than 60% of the day.</p> <p>C. 9.5 percent of students with disabilities served in public or private schools, residential placements or homebound or hospital placements.</p>
2008 (2008-2009)	<p>A. 43.0 percent of students with disabilities will be removed from regular class less than 21% of the day.</p> <p>B. 19.0 percent of students with disabilities will be removed from regular class greater than 60% of the day.</p> <p>C. 9.0 percent of students with disabilities served in public or private schools, residential placements or homebound or hospital placements.</p>
2009 (2009-2010)	<p>A. 43.5 percent of students with disabilities will be removed from regular class less than 21% of the day.</p> <p>B. 19.0 percent of students with disabilities will be removed from regular class greater than 60% of the day.</p> <p>C. 8.5 percent of students with disabilities served in public or private schools, residential placements or homebound or hospital placements.</p>

2010 (2010-2011)	<p>A. 44.0 percent of students with disabilities will be removed from regular class less than 21% of the day.</p> <p>B. 19.0 percent of students with disabilities will be removed from regular class greater than 60% of the day.</p> <p>C. 8.0 percent of students with disabilities served in public or private schools, residential placements or homebound or hospital placements.</p>
2011 (2011-2012)	<p>A. 48.0 percent of students with disabilities will be removed from regular class less than 21% of the day.</p> <p>B. 16.5 percent of students with disabilities will be removed from regular class greater than 60% of the day.</p> <p>C. 7.8 percent of students with disabilities served in public or private schools, residential placements or homebound or hospital placements.</p>
2012 (2012-2013)	<p>A. 48.0 percent of students with disabilities will be removed from regular class less than 21% of the day.</p> <p>B. 16.5 percent of students with disabilities will be removed from regular class greater than 60% of the day.</p> <p>C. 7.6 percent of students with disabilities served in public or private schools, residential placements or homebound or hospital placements.</p>

Improvement Activities/Timelines/Resources:

NOTE: ** Indicates Activity Recommended by Stakeholders. NOTE: Activities that will be continued through 2012-2013 are represented by the symbol ***.**

I. Data Analysis

- a. **Specific Data Analysis:** NJOSEP will review placement data by age range, size of district, and racial/ethnic groups to determine whether any adjustments should be made to targets or improvement activities/strategies. The results of this data review and analysis will be shared at future stakeholder meetings. **(Activity: 2005-2006)*****
- b. **Ongoing Data Analysis:** NJOSEP will continue to review all placement data to determine whether strategies and activities are effective in meeting the targets. The results of this data review and analysis will be shared at future stakeholder meetings. **(Activity: 2005-2006)*****

II. Policy and Regulation:

- a. **Proposed Regulations:** On November 2, 2005, the department proposed several regulatory changes intended to facilitate placement of students with disabilities in

general education programs. These proposed regulations include, but are not limited to:

- When a student is placed in a separate setting, activities necessary to transition the student to a less restrictive placement must be considered annually;
- Students may not be removed from the general education classroom solely based on needed modifications to the general education curriculum;
- Clarification that the restrictiveness of a program option is based solely on the amount of time a student is educated outside the general education setting;
- Clarification was provided that all students shall be considered for education in the general education class with supplementary aids and services including:
 - Curricular or instructional modifications;
 - Individual instruction;
 - Assistive technology;
 - Teacher aides;
 - Related services;
 - Integrated therapies;
 - Consultation services; and
 - In-class resource programs.
- Supplemental aids and services must be provided in the general education classroom to enable students with disabilities, to the greatest extent possible, to be educated with non-disabled peers;
- Teacher aides may provide supplementary support in areas including:
 - Prompting, cuing and redirecting student participation;
 - Reinforcing of personal, social, behavioral, and academic learning goals;
 - Organizing and managing materials and activities; and
 - Implementation of teacher-designed follow-up and practice activities.

(Activity: 2005-2006) **These proposed regulations were adopted on September 5, 2006.**

- b. Revised Private School Application Process:** In June of 2004 the NJDOE initiated a moratorium on submission of applications for approval as a private school for students with disabilities so that NJOSEP staff could revise the application procedures. The revised application process was finalized in February 2005. Listed below are some of the additional/revised requirements:

- An enhanced program description, including activities to ensure enrolled students have an opportunity to interact with non-disabled peers; expanded description of the behavior management system, including current research studies upon which the behavior management system will be based and staff training in behavior management practices;
- An expanded description of curriculum;
- A student and program evaluation component;
- Information on personnel requirements, which previously addressed certification and criminal record review has been expanded to address the highly qualified teacher requirements of NCLB; and
- A component for pre-service and in-service training for staff.

In addition to the existing regulatory compliance review by NJOSEP staff of the proposed program description, a program quality review was added. This review will include a panel of professionals with demonstrated knowledge and experience in the area(s) of educational disabilities that the proposed program intends to serve.

The procedures continue to ensure that there is a need for the new program. Potential referrals must total a minimum of 24 public school placements, within appropriate age ranges and with similar special education needs. Needs assessment data must document that special classes can be formed according to guidelines contained in the New Jersey Administrative Code 6A:14-4.

A new component of the application process involves a subsequent review by a county panel, consisting of county superintendent or designee, public school district representatives, and receiving school representative(s) who will contact districts and exiting receiving schools to ensure that no other existing appropriate programs are available that can serve these students. **(Activity: 2005-2006)*****

- c. **Legislative Collaboration:** NJOSEP will examine the need for legislative activity in order to further the development of inclusive educational programs. **(Activity: 2005-2006)**

III. Implementation of Adopted Regulations: Following the adoption of the New Jersey Administrative Code a series of training sessions will be conducted to assist in the implementation of the requirements listed above. **(Activity: 2006-2007 through 2008-2009)**

IV. Self-Assessment/Monitoring: As part of the current compliance monitoring process, districts and charter schools review their placement data relative to state averages and identify areas of need related to placement in the least restrictive environment, the availability of a continuum of services and the decision making process which is documented in each student's IEP. Monitors verify the self-assessment findings during an onsite visit.

As a result, NJSOEP will institute a monitoring system which will target those districts with the highest number of students in separate placements. Ten districts will be selected each year and a team of monitors and technical assistance providers will work with the district to review district procedures, policies and practices for prereferral intervention, identification, evaluation, eligibility determinations and IEP development to identify the root causes for the high rate of placement in separate settings. Both building and district level policies and practices will be reviewed. The team will work with the

district to identify improvement activities to achieve compliance and expand general education options for students.

A compliance monitoring process, including self-assessment and improvement plan development will also be instituted beginning in FFY 2006 requiring districts to complete more extensive analysis of placement trends. **(Ongoing Activity: 2005-2006 through 2010-2011)**

- V. Targeted Technical Assistance:** Districts identified as non-compliant for issues related to placement of students with disabilities in the least restrictive environment and/or high rates of placement in separate special education settings will be targeted for technical assistance regarding the development and implementation of improvement strategies including the development of a plan to transition students from separate special education settings to education settings with nondisabled peers. **(Activity: 2005-2006)*****

- VI. Local Capacity Building and Improvement Grants/Inclusion Facilitation Network:** NJOSEP has continued to support implementation of its Local Capacity Building and Improvement Grants intended to serve as a catalyst for systemic change. Targeted local school districts originally had a percentage of 6% or greater of students with disabilities educated in separate education and/or facilities. The Cadre 1 grants will continue through September 30, 2006 and the Cadre 2 grants will be implemented through September 30, 2007.

For the remainder of the grant project period, grant implementation will be supported by NJOSEP, through its partnership with the Boggs Center, UMDNJ and the NJOSEP Learning Resource Center Network. Capacity districts will have the opportunity to participate in training and technical assistance sessions in a variety of areas, including but not limited to:

- use of assistive technology to support students with disabilities in general education programs;
- use of paraeducators to support students with disabilities in general education programs; and
- strategies for sustainability of inclusive practices including allocation/reallocation of staff and fiscal resources.

In addition, a resource document will be developed by the Boggs Center, documenting effective practices used by the Capacity Building Districts. **(Activity: 2005-2006) *****

- VII. Planning Grants:** NJOSEP will develop cooperative grant agreements that will be offered to local school districts, with the highest placement of students with disabilities in separate special education settings, for the purpose of initiating or continuing the process of planning the transition of students with disabilities from separate special education settings to general education programs. **(Activity: 2005-2006 through 2008-2009)**

VIII. State Capacity Building

a. Inclusive Support Options

- i. Assistive Technology Training and Technical Assistance,:** NJOSEP, through the NJSIG partnership with the New Jersey Department of Human Services, Office of Education, is planning a series of training sessions for local school district personnel focused on the consideration of assistive technology to support

the education of students with disabilities in general education sessions. During the 2005-2006, through 2007-2008 school years, teams of school personnel will be trained on "Integration of Assistive Technology in the Educational Process." Participants will also be invited to attend an Assistive Technology Vendor Fair where they will have an opportunity to learn more about assistive technology devices. **(Activity: 2005-2006 through 2007-2008)**

- b. School-wide Positive Behavior Support Team:** In order to "scale-up" the use of school-wide behavior supports, as a means of building district capacity to educate students with disabilities in general education programs, NJOSEP is expanding the NJSIG staff at the Boggs Center, UMDNJ to provide training and technical assistance to targeted districts. Among the targeted districts are those placing a high percentage of students with disabilities and/or a disproportionate number of minority students, in separate special educational settings because of behavioral challenges. **(Activity: 2005-2006 through 2007-2008)**

NJOSEP is continuing to expand the use of positive behavior supports statewide through training and technical assistance initiatives conducted in collaboration with the Elizabeth M. Boggs Center, UMDNJ and through the efforts of NJOSEP's Learning Resource Center Network. Activities include: targeted training and technical assistance; statewide proactive training and technical assistance; implementation of a PBSIS network of districts and schools; and information/resource dissemination activities. 80 schools from 53 districts have been trained by the PBSIS State team and NJOSEP on PBSIS practices during 2009-2010. An additional group of 19 schools from 14 districts will receive training and technical assistance support during 2010-2011. These schools will begin implementation in 2011-2012. **(2009-2010 Activity)*****

- i. Targeted Training and Technical Assistance on Positive Behavior Supports in Schools (PBSIS):** NJOSEP's technical assistance and monitoring staff meet annually to review statewide district and school data and identify those districts and schools that might benefit from implementing a tiered system of school-wide positive behavioral supports. Districts identified include those who had high rates of suspension/expulsion for two or more consecutive years, high rates of student placements in separate special education settings, or disproportionate representation of specific racial/ethnic groups in special education and related services. During September, 2007, two recruitment sessions were held for identified districts to learn about NJOSEP's two-year training and technical assistance initiative on Positive Behavior Support in Schools (PBSIS). Through an application process, interested districts were selected for participation beginning in the fall of 2007 through 2009. Another group of districts was selected through an application process following a recruitment event conducted in May of 2008. This second group of districts and schools received initial training and technical assistance during the 2008-2009 school year. During 2009-2010, this second group of districts and schools began implementation of PBSIS practices with continued training and technical assistance support. Following four sessions of recruitment events in May 2010, a third group of districts was selected for participation in the PBSIS Initiative through an application process. These schools will begin training in PBSIS practices in the fall of 2010 and continue through spring 2011. Additional training and technical assistance will be provided to assist implementation of PBSIS practices in the fall of 2011 through spring 2012.

Participating districts/schools received the following training and technical assistance support:

- School-wide practices (Tier 1) - Training and support for school-wide teams and building coaches who will lead the implementation of school-wide positive behavior practices within their buildings on:
 - school-wide assessment of building climate and behavior to establish priorities for interventions;
 - developing staff, community and student buy-in for PBSIS;
 - proactive practices for teaching and recognizing positive behavior;
 - analysis of Office Discipline Referral procedures and forms for intervention decisions and monitoring effectiveness of PBSIS interventions;
 - school-wide targeted interventions based on data analysis; and
 - effective classroom management strategies that promote inclusive classroom environments.
- Targeted student interventions (Tiers 2 and 3)
 - proactive targeted interventions for students with challenging behavior;
 - best practices for Function of Behavior Analysis and Behavior Intervention Plans (FBA and BIPs); and
 - self-assessment of FBA and BIP practices following training. **(2009-2010 Activity)*****

ii. Statewide Training and Technical Assistance for Positive Behavior Supports: Training and technical assistance on positive behavior supports (PBS) continues to be provided statewide through the Boggs Center's Statewide Team for PBSIS in collaboration with the Learning Resource Center (LRC) Network. During 2009-2010, trainings were conducted on Functional Behavioral Assessment and Design of Behavior Intervention Plans. **(Activity 2009-2010)*****

iii PBSIS Network of Districts and Schools: In order to maintain and extend PBSIS practices by districts/schools who are implementing positive behavior supports, technical assistance support is provided through email and phone support by both the LRCs and the Boggs Center's PBSIS State Team. In addition, these districts/schools have been invited to further trainings to enhance practices including training on small group interventions and FBA/BIP. Follow-up with these districts indicated that schools who were implementing PBSIS practices reported improved school climate, reduced office discipline referrals and increased use of data to plan effective school-wide interventions. As part of this effort, a Coaches Network has been created to provide ongoing training opportunities for coaches of all implementing PBSIS schools. During 2009-2010, two coaches' events that provided an opportunity for coaches to network, share resources, and problem solve around areas of implementation were held. **(Activity 2009-2010)*****

iv. Expansion of the PBSIS Initiative to Schools Struggling with High Suspension and Expulsion Rates. In an effort to provide further support schools that have high suspension rates and are including students with

behavior challenges in general education classrooms, the NJOSEP is offering a PBSIS Facilitated FBA/BIP Professional Development Service Opportunity. The activity is open to schools that have completed the PBSIS training. It is designed to develop LEA staff competencies in conducting “evidence based” Functional Behavior Assessments and Behavioral Intervention Plans for students with IEPs. Professional development will be conducted onsite. The goal of the activity is to build capacity within schools to successfully transition students with behavioral difficulties into general education environments. **(Activity 2010-2011 through 2012-2013)**

v. Resource and Information Dissemination: NJPBSIS website: To provide information statewide on PBSIS practices, NJOSEP supports the development and maintenance of a PBSIS website operated by the Boggs Center PBSIS State Team. The website contains information on promising practices in New Jersey as well as materials, tools, the New Jersey PBSIS newsletter and resource information. There is a special section for parents and for coaches to provide information on PBSIS practices. The website has received more than 145,179 visits since the launch of the website with over 34,061 visits during 2009-2010. **(Activity 2009-2010)*****

- c. **Inclusion Family Institutes and Teleconferences:** NJOSEP, through the NJSIG partnership with the Statewide Parent Advocacy Network (SPAN), will continue to conduct Inclusion Institutes on a regional basis that highlight the benefits of inclusion and provide a forum for discussing implementation issues. Additionally, SPAN through the NJSIG, will organize and implement a statewide teleconference similarly highlighting the benefits of inclusion and examples of effective inclusive practices. **(Activity 2005-2006)*****
- d. **Intensive Early Literacy Initiative:** A cooperative grant agreement, *Providing Quality Intensive Early Literacy Instruction to Students with Disabilities*, was made available to each of the Abbott districts, with the expectation that programs, kindergarten through grade 4, will be organized to improve instruction in general education to eliminate inappropriate and unnecessary referral of students to special education and to ensure quality early literacy instruction for students appropriately identified as eligible for special education. Through this grant agreement, it is expected that an increased number of students with disabilities will receive high quality literacy instruction in general education programs. **(Activity 2005-2006 through 2006-2007)**

During 2009-2010, the NJDOE Offices of Language Arts Literacy Education, Reading First and Special Education continued to promote a literacy model characterized by a tiered system of assessment and intervention that promotes inclusive practices. The model emphasizes co-teaching support and promotes providing literacy instruction to students with disabilities; first within general education programs. The model also supports additional instruction beyond the literacy block for any student, including students with disabilities, who requires more systematic, focused instruction. As part of the collaboration between the three offices, special education literacy resource coaches (SELRCs) have been supported, through cooperative grant agreements (CA), in 44 districts including those formerly known as Abbott districts and other low performing districts. The SELRCs provide in-district training and coaching focused on students with disabilities. SELRCs also serve on district and building level teams to plan activities and monitor progress of students with disabilities. During this period, NJDOE staff conducted statewide training and technical assistance activities on effective practices for SELRCs and other district staff who support teachers in implementing these practices within their districts. **(Activity 2009-2010)**

- e **Middle School Literacy Initiative/Secondary Education Initiative: Literacy is Essential to Adolescent Development and Success (LEADS) model (Grades 4-8):** During 2009-2010, NJDOE continued its middle school literacy initiative within fifteen low performing, low income school districts. This initiative emphasized research-based assessment and instructional practices including a 120 minute uninterrupted literacy block, thematic and cross disciplinary instruction, use of diverse texts, reading-writing connections through problem based learning and targeted interventions including guided reading and targeted skill instruction for students reading two or more years below grade level. NJOSEP collaborated with the Office of Literacy to ensure that students with disabilities and special education teachers were part of this initiative. **(Activity 2009-2010)*****

f. **Targeted Middle School Math Initiative: Implementing New Curricular Learning With Universally Designed Experiences (INCLUDE) Project**

During 2006-2007, the Office of Educational Technology and NJOSEP collaborated in the development of a multi-year targeted grant focused on middle grades (5th through 8th) math curriculum. The INCLUDE project is designed to ensure that all students in the general education classroom, including those with disabilities, struggling students and English language learners, are provided access to math instruction through the use of educational technology, thereby improving their mathematics achievement.

The grant was available to districts designated as “high need” in terms of student achievement. In 2007-2008, thirteen districts were selected to receive the grant based on an application process. NJOSEP personnel conducted training for middle school general and special education math teachers, CST members, middle school principals and special education directors on the provision of supports and accommodations for learners of varying ability levels within general education classrooms. Training was also provided on the array of supports to promote access to the general education curriculum by students with IEPs.

During 2008-2009, NJOSEP personnel provided an on-line interactive training session to INCLUDE Grant personnel on Respectful and Responsive Classrooms to support the needs of all students, including students with IEPs identified as have some behavioral challenges. During the 2009-2010 school year, NJOSEP personnel continued to consult and collaborate with the NJDOE, Office of Educational Technology personnel in support of the INCLUDE project, as needed. **(Activity 2009-2010)*****

g. **Differentiated Instruction - Targeted Training: A Training of Trainers – Differentiated Instruction**

NJOSEP continued to implement a “training of trainers” series on differentiated instruction for districts identified during the self-assessment/monitoring process who did not meet state targets for LRE. The four day “training of trainers” series was designed to increase the district capacity to differentiate instruction within general education classrooms, enabling special and general educators to address the needs of students with disabilities within those settings. District personnel attended the turnkey training as teams of general and special educators with the explicit purpose of sharing the knowledge and strategies of differentiated instruction with other general and special education staff within their district. The training presented the principles and practices of differentiated instruction through mini-lectures and hands-on activities that participants

can turnkey within their districts. Information, including turnkey training materials (e.g., power point presentations, activities and handouts, sample lessons), are provided to participants for this purpose. During each session, teams learned new strategies, reflected and problem solved around implementation issues and received feedback. Teams were also assisted in planning for implementation of differentiated instruction practices within their districts **(Activity 2009-2010)*****

- h. **Educational Interpreter Professional Development Centers:** NJOSEP continues to fund two Educational Interpreter Professional Development Centers to support the certification for an Educational Interpreter adopted by the State Board of Education in December 2003. The centers were established to provide the following services: (a) assessment of interpreting performance skills for Sign Language, Cued Speech and Oral Transliteration; (b) development of performance skill improvement plans; (c) professional development activities for the purpose of improving skill level and fluency; (d) review of transcripts and (e) the provision of 15 semester hour credits of professional education coursework. **(Activity 2005-2006)**
- i **Inclusive Schools Climate Initiative:** The NJOSEP has entered into a contractual arrangement with Rutgers University's Center for Applied Psychology (CAP) to provide training and technical assistance to schools in the area of prevention and intervention strategies for incidents of harassment, intimidation and bullying (HIB). The agreement will provide support to school districts with the inclusion of students with disabilities within General Education Programs. Strategies for the prevention of violence, alcohol, tobacco abuse and abuse with other drugs (ATOD) will be presented to participants. **(Activity 2010-2011)*****

- IX. **Data Review and Stakeholder Meetings:** NJOSEP will develop a schedule for review and analyses of data for each SPP/APR indicator. Based on the schedule of data analyses, stakeholder meetings will be planned and implemented to review data, targets and improvement activities.

Indicator #6: Preschool LRE

Part B State Performance Plan (SPP) for 2005-2012

Note: Not Required for 2/1/2011

Indicator # 7: Preschool Outcomes

Part B State Performance Plan (SPP) for 2005-2012

Overview of the State Performance Plan Development:

Indicator # 7, Preschool Outcomes, was initially discussed at the first stakeholder meeting held on **October 21, 2005**. At the meeting, staff from the NJOSEP (619 Programs) presented an overview of the indicator, options and timelines for data collection, and guidance that was being provided through the Early Childhood Outcome Center. On **January 10, 2007** stakeholders were updated regarding data collection for the preschool outcomes indicator. The discussion included the sampling plan and a review of the data and reporting elements for this indicator. On **January 11, 2008** preschool entry data and preschool exit data collected for the school year 2006-2007 was shared with the stakeholders. A stakeholder meeting was held on **January 23, 2009** during which progress pertaining to this indicator was discussed. Preschool entry data and preschool exit data collected school year 2007-2008 was shared with stakeholders. Stakeholders requested that the students' placement be included as part of the demographic information for this indicator.

Targets for this indicator were set by the stakeholders at the annual stakeholder meeting held on January 21, 2010. A review of the baseline data and an overview of the summary statements were provided. The stakeholders discussed setting a range, rather than a single percentage for each outcome area. Additionally, they discussed the importance of maintaining an upward trend of improvement each year. The stakeholders also recommended that NJOSEP conduct trend analysis of entry data to assist with improvement activities. Ultimately, the stakeholders decided to set a single percentage as the target for each year, with an increase of 1% per year over the next two years for each summary statement in each outcome area.

Stakeholder Meeting January 14, 2011: Targets for this indicator were reviewed by the stakeholders at the annual meeting convened on January 14, 2011. A review of the FFY 2008 baseline, the FFY 2009 actual data and the summary statements for each outcome were provided. Due to slippage related to summary statement one the stakeholders discussed revisions to the targets for FFY 2010. Additionally, the stakeholders suggested extended targets for the two-year extension of the SPP (FFY 2011 and FFY 2012).

Monitoring Priority: FAPE in the LRE

Indicator 7: Percent of preschool children aged 3 through 5 with IEPs who demonstrate improved:

- A. Positive social-emotional skills (including social relationships);
- B. Acquisition and use of knowledge and skills (including early language/ communication and early literacy); and
- C. Use of appropriate behaviors to meet their needs.

(20 U.S.C. 1416 (a)(3)(A))

Measurement:**Outcomes:**

- A. Positive social-emotional skills (including social relationships);
- B. Acquisition and use of knowledge and skills (including early language/communication and early literacy); and
- C. Use of appropriate behaviors to meet their needs.

Progress categories for A, B and C:

- a. **Percent of preschool children who did not improve functioning = [(# of preschool children who did not improve functioning) divided by (# of preschool children with IEPs assessed)] times 100.**
- b. **Percent of preschool children who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers = [(# of preschool children who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers) divided by (# of preschool children with IEPs assessed)] times 100.**
- c. **Percent of preschool children who improved functioning to a level nearer to same-aged peers but did not reach it = [(# of preschool children who improved functioning to a level nearer to same-aged peers but did not reach it) divided by (# of preschool children with IEPs assessed)] times 100.**
- d. **Percent of preschool children who improved functioning to reach a level comparable to same-aged peers = [(# of preschool children who improved functioning to reach a level comparable to same-aged peers) divided by (# of preschool children with IEPs assessed)] times 100.**
- e. **Percent of preschool children who maintained functioning at a level comparable to same-aged peers = [(# of preschool children who maintained functioning at a level comparable to same-aged peers) divided by (# of preschool children with IEPs assessed)] times 100.**

Summary Statements for Each of the Three Outcomes (use for FFY 2008-2009 reporting):

Summary Statement 1: Of those preschool children who entered the preschool program below age expectations in each Outcome, the percent who substantially increased their rate of growth by the time they turned 6 years of age or exited the program.

Measurement for Summary Statement 1:

Percent = # of preschool children reported in progress category (c) plus # of preschool children reported in category (d) divided by [# of preschool children reported in progress category (a) plus # of preschool children reported in progress category (b) plus # of preschool children reported in progress category (c) plus # of preschool children reported in progress category (d)] times 100.

Summary Statement 2: The percent of preschool children who were functioning within age expectations in each Outcome by the time they turned 6 years of age or exited the program.

Measurement for Summary Statement 2: —Percent = # of preschool children reported in progress category (d) plus [# of preschool children reported in progress category (e) divided by the total # of preschool children reported in progress categories (a) + (b) + (c) + (d) + (e)] times 100.

Overview of Issue/Description of System or Process: Preschool Outcomes

Sampling Plan

Description of how the sampling methodology led to valid and reliable results

NJOSEP Sampling Plan for Preschool Outcome Study: Submitted to USOSEP on 9/24/07 and subsequently approved

- NJOSEP will identify local *school districts* as the “unit of selection” in the sampling process;
- NJOSEP will include *all entering preschool students in all districts providing services to preschool students statewide over the course of five years. Each year approximately 100 districts serving preschool students with disabilities will be phased into the data collection;*
- All local school districts serving preschool students and all entering preschool students will be *included* in the data collection over the period of the SPP;

NOTE: LEAs with enrollments of over 50,000 are to be included in the survey annually; however, New Jersey has no districts with this enrollment size.

- A representative sample of districts will be selected each year reflecting the following parameters: district enrollment (size), number of preschool students with disabilities, % of minority students, gender and socio-economic status;

- NJOSEP will use the *Sampling Calculator* developed by the National Post-Secondary Outcomes Center (NPSO) to select a representative sample of districts to be included in the study each year. **The Sampling Calculator developed by NPSO is based on a 5 way clustering process.** Using the calculator, NJOSEP will be able to identify a representative sample of districts for the five years of our study;

- Using the *Sampling Calculator*, data will be entered for the sampling parameters listed above for all New Jersey school districts serving preschool students with disabilities. The Sampling Calculator software *will select a representative sample reflecting the population of the State at a pre-set confidence level of plus or minus 3%;*

- NJOSEP will establish a *3% sampling error*, i.e. the sample that is chosen will be representative of districts serving preschool students within the state at a level of error that will be plus or minus 3% - an error band of 6%; and

- Through the establishment of the 3% sampling error and the use of the NPSO sampling calculator, selection bias should be prevented.

Selection of Data Collection Tool: NJOSEP, during the 2005-2006 school year, examined several alternatives for collecting data for Indicator # 7, so that data could be collected and the State would be able to report entry data in the FFY 2005 APR due February 1, 2007.

- In October 2005, NJOSEP conducted a survey of all New Jersey local school districts to determine if a specific assessment tool was being used by a majority of districts that could also serve the purpose of obtaining baseline data for this indicator. The survey results indicated that there was a wide range of assessment tools being used to assess children for eligibility and IEP determinations with no singular tool emerging as the one being used by a majority of the districts.

- NJOSEP also reviewed the materials from the Early Childhood Outcome Center, including the curriculum-based crosswalks and considered using a work sampling method.
- NJOSEP conducted a crosswalk between a variety of curriculum-based tools and the Indicator requirements. Given the variety of district selected curricula, this option did not seem appropriate.
- Given the comparability of Indicator # 7 for Part B and Indicator # 3 for Part C, NJOSEP also considered coordinating these data collections, using the same instrument. Criteria for the selection of the data collection instrument, proposed by a workgroup from the New Jersey Early Intervention Steering Committee included the following:

Criteria for the Selection of Data Collection Instrument

Part C	Part B (619)
1. Be commercially available.	1. Be commercially available.
2. The domains and scoring should match or crosswalk closely to the Indicators.	2. The domains and scoring should match or crosswalk closely to the Indicators.
3. Be norm-referenced to better answer the data reporting of “comparable to same age peers”.	3. Be norm-referenced to better answer the data reporting of “comparable to same age peers”
4. Be able to replace (if possible) one or more tools currently used by early intervention targeted evaluation teams (TETS) to help determine eligibility.	4. Be able to replace (if possible) one or more tools currently used by district child study teams to help determine eligibility.
5. Have good reliability and validity.	5. Have good reliability and validity.
6. Be able to be administered based on the qualifications currently available on the TETS. Several tests are designed to be administered only by licensed Ph.D.s or social workers. Many of our team members do not fit these criteria.	6. Be able to be administered based on the qualifications specified by the test publishers.
7. Be able (if possible) to serve the needs of EIS and 619, so that EIS exit data would be 619 entry data. This would require a tool that covers at minimum 0-5.	7. Be able (if possible) to serve the needs of EIS and 619, so that EIS exit data would be 619 entry data. This would require a tool that covers at minimum 0-5.

Data Collection: Instruments and procedures used to gather entry and exit data

Instrument: Based on these criteria, NJOSEP determined that the Battelle Developmental Inventory 2 edition (BDI-2) was appropriate to collect data for Indicator #7. This tool was recently cross-walked by the Early Childhood Outcomes Center and considered to be an option for collecting outcome data related to Indicator #7 as follows.

Indicator 7A — Children have positive social relationships The BDI-2 domain of Personal/Social includes sufficient information on adult and peer interaction, self-concepts and social growth to answer Indicator 7A.

Indicator 7B — Children acquire and use skills and knowledge including language and communication. The BDI-2 domains of Cognition and Communication include sufficient information on expressive and receptive language, attention and memory, concept development, reasoning and academic skills and perceptual discrimination to answer Indicator 7B.

Indicator 7C— Children take appropriate actions to meet their needs. The domains of Motor and Self-help contain sufficient information related to fine motor skills, gross motor skills, personal responsibility and self-care to answer Indicator 7C.

Further support for the selection and use of the BDI-2 included: the availability of a Spanish edition; BDI-2 contains new norms; BDI-2 can be adapted to special needs such as visual and hearing impairments; and both hand scoring and computer scoring options are available.

Data Collection Procedures for Entry and Exit Data:

Over the course of five years, each district in the state participates in the preschool outcome study. Districts are selected for participation through a statistical process described in the sampling plan above. Each year, NJOSEP contracts with each local education agency (LEAs) designated to participate in the study for that year. The contract supports costs associated with the purchase of assessment kits and manuals (English and Spanish), test protocols and a three year web based system license.

When Does the Measurement Occur: Using the BDI-2, each participating district collects entry data during the assessment process for determining eligibility for special education. Exit data is collected when the student exits the preschool program either through entry to kindergarten or through declassification.

| Test Administration: The test is administered by certified personnel at the district level. District personnel implement the assessments following training provided through NJOSEP. Training is provided to local district psychologists, speech therapists, social workers, and learning disabilities teacher-consultants.

Data Entry and Reporting: For each preschool child assessed, the results are entered into a web-based system on an ongoing basis. NJOSEP aggregates data for reports annually.

Training Plan for “Entry” Test Administration and Data Collection: In order to collect reliable data that is needed to report on baseline information, evaluators receive training from Riverside Publishing on both the instrument (BDI-2) and policies and procedures necessary to ensure accurate and timely data collection. This training has occurred for four cohorts.

The training is a one day training covering the purpose of the outcome study, the administration of the tool, use of the software and considerations for using the palm pilot or tablets for recording assessment results. Additionally, an annual meeting is held with districts to update data collection procedures, discuss progress data and any changes to the requirements. The state works with the *distributor* of the tool to provide additional web-x trainings for new districts on the data management system.

Targeted Assistance: Each school year, NJOSEP provides targeted technical assistance to participating districts with input or test administration difficulties.

The Criteria for Defining “Comparable to Same Age Peers”

NJOSEP is not utilizing ECO’s COSF for defining “comparable to same-aged peers.” Instead, the following criteria were used to determine whether a child’s functioning was “comparable to same aged peers.”

The criteria for defining comparable to same age peers is based on a z score of -1.33 utilizing the tables provided by the developer of the tool.

For reporting results, the criteria for defining comparable to same age peers is determined when a child scores a standard score ≥ 80 or based on a z score of ≥ -1.33 with consideration to the

sub-domains and domain of the Battelle Developmental Inventory, 2nd Edition (BDI-2). The Standard Score of the BDI-2 indicates that a score of 100 is Average development. The Standard Deviation is 15. The standard score of 80 is 1.33 deviations below the mean and places the development of the child in a category of developmental quotient score of low average. For purposes of the outcome study children whose standard scores were 79 or below are included in the percentage of children not functioning with their same age in the data set.

Criteria for Progress Categories for Each Outcome A, B, and C

Outcome Measurement	A. Positive social-emotional skills	B. Acquisition and use of knowledge and skills	C. Use of appropriate behaviors to meet their needs
a. Percent of preschool children who did not improve functioning	Preschool children who on exit either regressed or made no measurable progress in the domain of social emotional or sub-domains on the BDI-2.	Preschool children who on exit either regressed or made no measurable progress in either of the two domains of language or cognition or sub-domains on the BDI-2.	Preschool children who on exit either regressed or made no measurable progress in either of the two domains of adaptive or motor or sub-domains on the BDI-2.
b. Percent of preschool children who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers.	Preschool children who on exit show a positive change in one or more sub domains but not significant to change the overall domain score.	Preschool children who on exit show a positive change in one or more sub domains but not significant to change the overall domain score.	Preschool children who on exit show a positive change in one or more sub domains but not significant to change the overall domain score.
c. Percent of preschool children who improved functioning to a level nearer to same-aged peers but did not reach	Preschool children who on exit show a positive change in standard score above entry.	Preschool children who on exit show a positive change in standard score above entry.	Preschool children who on exit show a positive change in standard score above entry.
d. Percent of preschool children who improved functioning to reach a level comparable to same-aged peers	Preschool children on entry scoring a standard score below 80 yet on exit scored a standard score of 80 or above at exit in the domain of social emotional utilizing the BDI-2.	Preschool children on entry scoring a standard score below 80 yet on exit scored a standard score of 80 or above at exit in the two domains of language or cognition or sub-domains on the BDI-2.	Preschool children on entry scoring a standard score below 80 yet on exit scored a standard score of 80 or above at exit in the two domains of adaptive or motor or sub-domains on the BDI-2.
e. Percent of preschool children who maintained functioning at a level comparable to same-aged peers.	Preschool children on entry scoring a standard score of 80 or above and maintaining a standard score of 80 or above at exit in the domain of social emotional utilizing	Preschool children on entry scoring a standard score of 80 or above and maintaining a standard score of 80 or above at exit in the domains of cognition and language utilizing in the BDI-2.	Preschool children on entry scoring a standard score of 80 or above and maintaining a standard score of 80 or above at exit in the domains of motor and adaptive utilizing the BDI-2.

Baseline Data (FFY 2008) – 2008-2009

For FFY 2008, the tables below show the progress data for preschool children with disabilities ages three through five who were in preschool programs for a minimum of six months and exited between July 1, 2008-June 30, 2009. The baseline data provided below include preschool students who entered the program in 2006, 2007, or 2008 and who exited the program during 2008-2009. 370 entry and exit records were complete and analyzed, and are being reported in the baseline for 2008.

Table I shows baseline data for preschool students by progress categories for each outcome – A, B, and C. Table II shows baseline summary statements for each of the three outcomes (A, B, and C). The state used the ECO SummaryStatements Calculator to generate the baseline data for the Table II below.

Table 1
Baseline Data for Preschool Children Exiting 2008-2009
By Progress Categories for Outcomes A, B, C

A. Positive social-emotional skills (including social relationships):	Number of children	% of children
a. Percent of preschool children who did not improve functioning	4	1%
b. Percent of preschool children who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers	51	14%
c. Percent of preschool children who improved functioning to a level nearer to same-aged peers but did not reach	57	15%
d. Percent of preschool children who improved functioning to reach a level comparable to same-aged peers	142	38%
e. Percent of preschool children who maintained functioning at a level comparable to same-aged peers	116	31%
Total	370	100%

B. Acquisition and use of knowledge and skills (including early language/communication and early literacy):	Number of children	% of children
a. Percent of preschool children who did not improve functioning	54	15%
b. Percent of preschool children who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers	61	16%
c. Percent of preschool children who improved functioning to a level nearer to same-aged peers but did not reach	78	21%
d. Percent of preschool children who improved functioning to reach a level comparable to same-aged peers	105	28%
e. Percent of preschool children who maintained functioning at a level comparable to same-aged peers	72	19%
Total	370	100%

C. Use of appropriate behaviors to meet their needs:	Number of children	% of children
a. Percent of preschool children who did not improve functioning	7	2%
b. Percent of preschool children who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers	83	22%
c. Percent of preschool children who improved functioning to a level nearer to same-aged peers but did not reach	72	19%
d. Percent of preschool children who improved functioning to reach a level comparable to same-aged peers	129	35%
e. Percent of preschool children who maintained functioning at a level comparable to same-aged peers	79	21%
TOTAL	370	100%

Table 2
Baseline Data
Summary Statements by Outcomes – A, B, and C

Outcome A: Positive social-emotional skills (including social relationships)

Summary Statements	% of children
1. Of those children who entered or exited the program below age expectations in Outcome A, the percent who substantially increased their rate of growth by the time they turned 6 years of age or exited the program. Calculation: $[(c+d) / (a+b+c+d)] \times 100$	78.3
2. The percent of children who were functioning within age expectations in Outcome A by the time they turned 6 years of age or exited the program Calculation: $[(d+e) / \text{Total}] \times 100$	69.7

Outcome B: Acquisition and use of knowledge and skills (including early language/communication and early literacy)

Summary Statements	% of children
1. Of those children who entered or exited the program below age expectations in Outcome B, the percent who substantially increased their rate of growth by the time they turned 6 years of age or exited the program Calculation: $[(c+d) / (a+b+c+d)] \times 100$	61.4
2. The percent of children who were functioning within age expectations in Outcome A by the time they turned 6 years of age or exited the program Calculation: $[(d+e) / \text{Total}] \times 100$	47.8

Outcome C: Use of appropriate behaviors to meet their needs

Summary Statements	% of children
1. Of those children who entered or exited the program below age expectations in Outcome C, the percent who substantially increased their rate of growth by the time they turned 6 years of age or exited the program Calculation: $[(c+d) / (a+b+c+d)] \times 100$	69.1
2. The percent of children who were functioning within age expectations in Outcome A by the time they turned 6 years of age or exited the program Calculation: $[(d+e) / \text{Total}] \times 100$	56.2

Discussion of Baseline Data:**Description of how the State ensures that these data are valid and reliable:**

In order to ensure that the preschool entry and exit data are valid and reliable, NJOSEP has selected a valid and reliable assessment instrument; provided training to all participating district personnel administering the Battelle Developmental Inventory-Revised 2 with regard to test administration, scoring procedures, and data entry. Follow-up technical assistance was provided by the NJOSEP staff, as well as the publisher of the Battelle. In addition, edits checks are embedded in the data entry system.

Increasing Quality of the Data:

Analysis of the progress data submitted, for students with both entry and exit data, revealed that some student records could not be analyzed, due to incomplete information provided within the sub domains. To address this issue, NJOSEP is emphasizing the importance of completing all items within the BDI-2 during training sessions. Additionally, NJOSEP will send a letter to each LEA special education director recommending that they review the requirement with their preschool child study teams and provide oversight to ensure accuracy and completeness in data collection at entry and exit.

Measurable and Rigorous Targets

FFY 2009 Update: At a stakeholder meeting convened on January 14, 2011, stakeholders provided input regarding targets for the two-year extension of the SPP. Additionally, the FFY 2010 targets for Summary Statement One were revised based on the actual data from FFY 2009 and Baseline FFY 2008. The targets reflect the methodology for category determination. The proposed targets for Summary Statement One reflect a mid-range target between actual data and the proposed targets from APR 2008.

Table 3
Targets for Preschool Children
Exiting in FFY 2009 (2009-10), FFY 2010 (2010-2011), FFY 2011 (2011-2012) and
FFY 2012 (2012-2013)
and Reported in Feb. 2011, Feb. 2012, Feb. 2013 and Feb. 2014

Outcome A: Positive social-emotional skills (including social relationships)

Summary Statements	Baseline Data 2008 (% of children)	Targets FFY 2009 (% of children)	Targets FFY 2010 (% of children)	Targets FFY 2011 (% of children)	Targets FFY 2012 (% of children)
1. Of those children who entered or exited the program below age expectations in Outcome A, the percent who substantially increased their rate of growth by the time they turned 6 years of age or exited the program.	78.3	79.3	73.8 target revised	75.8	78.8
2. The percent of children who were functioning within age expectations in Outcome A by the time they turned 6 years of age or exited the program.	69.7	70.7	71.7	71.7	72.7

Outcome B: Acquisition and use of knowledge and skills

Summary Statements	Baseline Data 2008 (% of children)	Targets FFY 2009 (% of children)	Targets FFY 2010 (% of children)	Targets FFY 2011 (% of children)	Targets FFY 2012 (% of children)
1. Of those children who entered or exited the program below age expectations in Outcome A, the percent who substantially increased their rate of growth by the time they turned 6 years of age or exited the program.	61.4	62.4	63.4	63.4	64.4
2. The percent of children who were functioning within age expectations in Outcome A by the time they turned 6 years of age or exited the program.	47.8	48.8	49.8	49.8	50.8

Outcome C: Takes appropriate actions to meet needs

Summary Statements	Baseline Data 2008 (% of children)	Targets FFY 2009 (% of children)	Targets FFY 2010 (% of children)	Targets FFY 2011 (% of children)	Targets FFY 2012 (% of children)
2. Of those children who entered or exited the program below age expectations in Outcome A, the percent who substantially increased their rate of growth by the time they turned 6 years of age or exited the program.	69.1	70.1	62.0 target revised	64.0	70.0
2. The percent of children who were functioning within age expectations in Outcome A by the time they turned 6 years of age or exited the program.	56.2	57.2	58.2	58.2	59.2

Improvement Activities/Timelines/Resources

NOTE: Activities that will be continued through 2012-2013 are represented by the symbol *.**

Data Collection

NJOSEP has organized a system for contracting with districts for the purchase of the assessment materials, training district personnel in the test administration, and collecting entry level data.

Contract: The New Jersey Department of Education, Office of Special Education Programs, in fulfillment of its federal data collection responsibilities, contracts with each of the randomly selected local education agencies (LEAs) participating in the Preschool Outcome Study to support the implementation of the Battelle. The contract provides for assessment kits and manuals (English and Spanish), test protocols and use of a web based system license for the district for a three year period.

The district submits assessment data through a web based system for the purpose of providing entry and exit preschool special education outcome data utilizing the New Jersey BDI-2 Data Manager web user license.

Annually, NJOSEP meets with administrators participating in the study to discuss progress of the data collection and any changes to the requirements. **(Activity 2009-2010)*****

Additions to Data Collection: In response to stakeholder request, placement information was added to the collection of demographic data. **(Activity 2009-2010)*****

Data Collection: NJOSEP will monitor district data collection for completeness and timeliness. As needed, NJOSEP will send reminders to districts to complete data entries for exiting students. **(Activity 2010-2011)*****

Data Management

NJOSEP updated internal data management system to enable NJOSEP to monitor the collection of district data on an ongoing basis and to facilitate analyses of data. **(Activity 2010-2011-)*****

Data Analysis

NJOSEP is completing further data analysis by outcome and sub-domain to determine potential program-wide weaknesses to assist with targeted technical assistance to impact program improvement. **(Activity 2008-2009)*****

Use of Assessment Results

NJOSEP will continue to share the progress of the current outcome study and current findings with districts and in technical assistance trainings and individual sessions. **(Activity 2008-2009)*****

Training Activities**Users Group**

NJOSEP will conduct enhancement sessions for child study team personnel who are currently participating in the outcome study. These sessions will provide suggestions for administering and interpreting data to further district use of the information provided by the BDI-2. In addition, these sessions will address how to include this information in student IEPs. **(Activity 2008-2009)*****

Training on Outcome Areas

NJOSEP through the preschool LRC network will conduct trainings on data based interventions related outcome areas. These trainings will address reviewing assessment information to identify areas of need for IEP development, designing and providing interventions, collecting progress data and reporting on progress. **(Activity 2010-2011)*****

Indicator # 8: Parent Involvement

Part B State Performance Plan (SPP) for 2005-2010

Revised 2/1/11 to Reflect FFY 2011 and FFY 2012 SPP/APR Extension

Overview of the State Performance Plan Development:

Indicator # 8, Parent Involvement, was discussed with the stakeholder group on October 21, 2005. Debra Jennings, Co-Executive Director of the Statewide Parent Advocacy Network, provided a description of how the parent survey was developed by the National Center for Special Education Accountability Monitoring (NCSEAM) and New Jersey's participation in the piloting of the survey. NJOSEP staff discussed how the survey will be implemented to determine the number of parents who report that schools facilitated parent involvement as a means of improving services and results for children with disabilities. Stakeholders were informed that sampling methodology will be used to ensure efficiency while representing the state's student population equitably.

Stakeholder Response: The stakeholders supported the use of the survey as a means of obtaining information about parent involvement.

FFY 2006 Update to Overview of State Performance Plan Development:

NJOSEP met with stakeholders on January 11, 2008 to discuss the data collection and analysis. Stakeholders were reminded that NJOSEP was not able to complete the collection of baseline data last year due to difficulties with contract requirements and difficulties obtaining parent mailing information from districts. However, NJOSEP was able to resolve these difficulties this year permitting the collection of baseline data. In addition to the discussion concerning data collection and analysis, NJOSEP presented response rate data to the stakeholders; however the data analysis was not complete at the time of the stakeholder meeting.

NJOSEP discussed the targets with the stakeholders, which had been set last year, in the absence of baseline data. These targets called for an increase of 1 % over baseline for each successive year. This rate of improvement had been submitted and approved by USOSEP in last year's SPP for this indicator. With regard to targets, NJOSEP also indicated that prior to the submission of the FFY 2007 APR, NJOSEP would present two years of parent involvement data for stakeholders' review. Based upon that information, stakeholders would again review the proposed targets and could make recommendations for revision.

FFY 2007 Update to Overview of State Performance Plan Development:

Because the original SPP targets were determined prior to the first collection of baseline data, the stakeholders did not have actual data to use in establishing state targets. Instead, in the absence of data, stakeholders approved targets originally proposed by NJOSEP. From the first two years of data collection for this indicator, it was found that a large majority of New Jersey parents consistently agreed that schools facilitated their involvement in their child's program. Because of this result, a full one percentage increase in the target for each subsequent year was ambitious. Additionally, NJOSEP discussed with stakeholders that individual districts that scored just below state targets, where a large majority of responding families were positive about schools' facilitation of their involvement, would be publicly reported as not meeting the state target. In those instances, the public reports would not accurately represent the favorable perceptions of respondents. Therefore, NJOSEP asked stakeholders to review targets for parent involvement through 2010-2011. After lengthy discussion, the stakeholders agreed to revise the targets.

Stakeholder Meeting January 14, 2011:

On January 14, 2011, NJOSEP met with the stakeholders to present the methodology and results of the parent involvement data collection from the fourth cohort of districts. Stakeholders provided input regarding targets for the extension of the SPP/APR for FFY 2011 and FFY 2012. Stakeholders also provided input regarding survey procedures.

Monitoring Priority: FAPE in the LRE – Parent Involvement
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Indicator #8: Percent of parents with a child receiving special education services who report that schools facilitated parent involvement as a means of improving services and results for children with disabilities.

<p>Measurement: Percent = # of respondent parents who report schools facilitated parent involvement as a means of improving services and results for children with disabilities divided by the total # of respondent parents of children with disabilities times 100.</p>
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Overview of Issue/Description of System or Process:**Response to issues identified in USOSEP's letter responding to the State's SPP/APR submitted February 1, 2007**

SPP Issue 1: *"The State did not submit the survey that was required by the instructions for the SPP/APR to be included in the February 1, 2007 APR. The State must submit this information in the FFY 2006 APR due February 1, 2008."*

Response to Issue 1:

The parent survey for children with disabilities ages 3-5 and students with disabilities ages 6-21 are attached to this resubmission of the SPP – FFY 2006.

SPP Issue 2: *"The sampling plan for this indicator is not technically sound. Call your State Contact as soon as possible."*

Response to Issue 2:

The NJOSEP resubmitted a sampling plan to USOSEP with all requested clarifications and revisions to USOSEP on 9/24/07. The sampling plan was approved by USOSEP

NJOSEP Sampling Plan for Parent Involvement:

Description of how data are to be collected so that the State will be able to report baseline data and targets in the FFY 2005 APR due February 1, 2007.

Description of the sampling methodology outlining how the design will yield valid and reliable estimate.

Required Revisions Submitted to USOSEP 9/24/07

Over a five year period, NJOSEP will include *all districts* in New Jersey serving students with disabilities, ages 3-21. Each year, *all parents of students with disabilities*, ages 3-21 in a representative sample of

districts will receive a survey. By the end of the fifth year, all districts and all parents of students with disabilities, ages 3-21 will be contacted to participate in the study.

NOTE: LEAs with enrollments of over 50,000 are to be included in the survey annually; however, New Jersey has no districts with this enrollment size.

A representative sample of districts will be selected each year reflecting the following parameters:

- district enrollment (size);
- number of students with disabilities
- disability categories - percentages of learning disabled (LD), emotionally disturbed (ED); mentally retarded (MR) and a category for all other (AO).
- race/ethnicity
- gender – percent of female students with disabilities;
- Abbott / Non Abbott designation. Abbott districts are those designated by the New Jersey Supreme Court as being low performing and economically disadvantaged.

NJOSEP will use the *Sampling Calculator* developed by the National Post-Secondary Outcomes Center (NPSO) to select a representative sample of districts to be included in the study each year. **The Sampling Calculator developed by NPSO is based on a 5 way clustering process which has as its basis a probability model.** Using the calculator, we will be able to identify a representative sample of districts for the five years of our study.

Using the *Sampling Calculator*, data will be entered for the sampling parameters listed above for all New Jersey school districts serving students with disabilities. The Sampling Calculator software *will select a representative sample reflecting the population of the State at a pre-set confidence level of plus or minus 3%;*

NJOSEP will establish a *3% sampling error*, i.e. the sample that is chosen will be representative of districts serving students with disabilities within the state at a level of error that will be plus or minus 3% -- an error band of 6%;

Through the establishment of the 3% sampling error and the use of the NPSO sampling calculator, selection bias should be prevented.

FFY 2006 Update to Baseline Data

Baseline Data for FFY 2005

Using the National Post-School Outcomes (NPSO) sampling calculator, NJOSEP identified the sample of districts that will participate each year in the parent survey. All districts within the state are grouped within one of these five cohorts. Cohorts are representative of the state as a whole and each contain both urban and rural districts, districts of varying size and demographic characteristics. Over a 5-year cycle all parents of students with disabilities within all New Jersey districts will have the opportunity to respond to a parent survey.

For year 1, 106 districts were originally generated for the sample. Due to difficulties with contract requirements and difficulties in obtaining mailing information from districts, NJOSEP was unable to conduct baseline data collection in FFY 2005, resulting in revised timelines for data collection. However, NJOSEP was able to complete collection of baseline data for FFY 2006. NJOSEP was able to obtain useable electronic mailing information from 71 of the original 106 districts. The 71 districts are referred to as Cohort I. An analysis of representativeness was conducted for these 71 districts using the National Post-school Outcomes (NPSO) sampling calculator. Though developed for another indicator, this tool is designed to select a sample of districts that are similar to the state population. Characteristics examined

included: district size, number of students with disabilities, disability type, gender, race/ethnicity and Abbott status. The analysis found that these districts were representative of the state and thus NJOSEP proceeded with the collection of baseline data.

Data Collection:

NJOSEP used two surveys. The 25 item NCSEAM 619 preschool survey and the 25 item NCSEAM school age survey. In addition to the survey items, 8 additional items were included on each survey to capture demographic information. Each survey was translated into both English and Spanish and disseminated with a cover letter from the State Director, Office of Special Education Programs, written in both English and Spanish. Respondents had a choice to complete the survey in English or Spanish. The cover letter explained to parents the purpose of the survey and highlighted the importance of their feedback to NJOSEP. A copy of each survey is attached (**See Appendices**).

NJOSEP requested and obtained useable mailing information from 71 local districts to disseminate the surveys to parents of preschool age children and parents of school-age students. Mailing files were shared with Piedra Data Services and Scantron for preparing and mailing surveys to families. A total of 25,500 surveys were mailed to all families of students with disabilities in the 71 districts participating in the cohort 1 data collection. This number included: 2,285 preschool surveys and 23,215 school-age surveys.

Surveys were mailed providing a four week window for response. Once the survey window was closed, surveys were scanned and data files were developed for analysis by Piedra Data Systems and then provided to the NJOSEP. NJOSEP worked with consultants through the Northeast Regional Resource Center to conduct the data analysis reported herein.

Response Rate for Baseline Data

A total of 2,277 preschool and school-age surveys were returned for a combined response rate from both surveys of 10.67%. Two thousand two hundred and eighty-five (2,285) preschool surveys were returned for a return rate of 12.43%. Twenty-three thousand two hundred and fifteen (23,215) school-age surveys were returned for a return rate of 10.5%. A number of surveys were returned to NJOSEP due to incomplete addresses. NJOSEP will meet with districts in next year's cohort in an effort to obtain more complete, accurate mailing information for the next data collection as well as to enlist their assistance in publicizing the surveys to increase response rate. Only a small number of surveys were returned that were not useable due to incomplete information. Response rate was calculated by dividing the number of complete surveys returned (F) by the number of surveys mailed (A) as indicated below:

Survey Dissemination and Response Rate				
Cohort 1: Baseline FY2006				
71 Districts				
		Preschool	School-Age	Combined
A	Surveys mailed	2,285	23,215	25,500
B	Surveys returned undeliverable	49	638	687
C	Surveys returned "completed"	299	2,486	2,785
D	"Completed" surveys but less than 50% complete and therefore excluded	4	33	37
E	"Completed" surveys excluded for incorrect student age <ul style="list-style-type: none"> • 11 preschool surveys reported on child age 7 or older. • 15 school age surveys reported on child age 4 or younger. 	11	15	26
F	Completed, clean and analyzed surveys	284	2,438	2,722
	Preschool Response Rate (F / A)	12.43%		
	School-age Response Rate (F / A)		10.50%	

	Combined Response Rate (F / A)			10.67%
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Representativeness of Respondents:

Representativeness of respondents to families of all students with disabilities in cohort I districts was analyzed using the response calculator developed by the National Post-School Outcomes Center (NPSO) for indicator # 14. Characteristics examined included: disability type, gender, minority and Abbott status. Because New Jersey does not have a student database, demographic data on the population of special education students in cohort I districts was obtained using district data from the federally required Annual Data Report. Because NJOSEP does not collect demographic data on preschool students by subtypes of disability, the analysis of representativeness was conducted by comparing information for school-age students, ages 6-21, in cohort 1 districts to demographic information provided by respondent families of students ages 6-21. The assumption was made that the characteristics of preschool students were comparable to school-age students from the same districts. Because families of school-age students represented the substantial majority of the respondents, NJOSEP considered this analysis appropriate.

The sample of respondents very closely matched the target leavers for: gender and for the disability categories of emotional disturbance and mental retardation. Differences were found for disability categories of learning disabilities, other categories of disabilities, as well as for Abbott and minority students. Differences among some subgroups are not unexpected due to the low return rate. Improvement activities will seek to increase response rates for successive cohorts, particularly among Abbott districts.

Representativeness of Respondents

	Overall	LD	ED	MR	AO	Female	Minority	Abbott
Target Population Cohort 1	23,957	10,395	1112	667	11783	8096	10645	2,767
Respondents Cohort 1	2437	910	128	40	1359	798	797	171
Target population representation		43.39%	4.64%	2.78%	49.18%	33.79%	44.34%	11.15%
Respondent Representation		37.34%	5.25%	1.64%	55.77%	32.75%	32.70%	7.01%
Difference		-6.05%	0.16%	1.14%	6.58%	-1.05%	-11.73%	-4.14%

Note: A difference of greater than +/- 3% is considered a statistical difference.

FFY 2006 Update to Baseline Data**Baseline Data: 2006-2007**

NJOSEP analyzed the surveys as follows: surveys were included in the analysis only if 50% or more of the items had been answered. Each completed survey was scored to determine the number and % of items that had been rated as "agree, strongly agree or very strongly agree". Each survey, for which a majority of items (≥51%) had been rated in one of the three agreement responses, was counted as agreement with "schools facilitating parental involvement". The number of respondent surveys that indicated this level of "agreement" were used as the numerator in the analysis of outcome data. The denominator was the total number of respondent surveys.

Of the 2,722 completed and analyzed surveys received from *both* preschool and school-age parents, **80.6% (2,195) of parents** agreed that "schools facilitated parent involvement as a means of improving services and results for their children with disabilities."

Percent of Parents That Reported Schools Facilitated Parent Involvement as a Means of Improving Services and Results for Children with Disabilities			
	Preschool	School Age	Combined
Completed, clean and analyzed surveys	284	2,438	2,722
Surveys with a majority of items rated as agree, strongly agree or very strongly agree agreeing (≥ 4)	240	1,955	2195
Percent of parents with a majority of items rated as agree, strongly agree or very strongly agree	84.5%	80.2%	80.6%

Measurable and Rigorous Targets (FFY 2007 targets, Updated in FFY 2009 and Extended in 2/1/11)

2005 (2005-2006)	Baseline data was provided in February 2008 submission
2007 (2006-2007) Baseline Data	80.6% of parents with a child receiving special education services who report that schools facilitated parent involvement as a means of improving services and results for children with disabilities.
2007 (2007-2008)	81.6% of parents with a child receiving special education services who report that schools facilitated parent involvement as a means of improving services and results for children with disabilities.
2008 (2008-2009)	81.6% of parents with a child receiving special education services who report that schools facilitated parent involvement as a means of improving services and results for children with disabilities.
2009 (2009-2010)	82.1 % of parents with a child receiving special education services who report that schools facilitated parent involvement as a means of improving services and results for children with disabilities.
2010 (2010-2011)	82.6% of parents with a child receiving special education services who report that schools facilitated parent involvement as a means of improving services and results for children with disabilities.
2011 (2011-2012)	84.0% of parents with a child receiving special education services who report that schools facilitated parent involvement as a means of improving services and results for children with disabilities.

2012 (2012-2013)	84.0% of parents with a child receiving special education services who report that schools facilitated parent involvement as a means of improving services and results for children with disabilities.
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Improvement Activities/Timelines/Resources:

NOTE: Activities that occurred in 2008-2009 that are ongoing and will be continued through 2012-2013 are represented by the symbol *.**

FFY 2006 Update to Improvement Activities (Activities I, II, III, IV Added)**I. Data Collection and Analysis**

To increase response rates and accuracy of mailing addresses, NJOSEP will convene a meeting of districts participating in the second cohort to explain the parent survey and their role in data collection. Districts will be given an excel template for consistent formatting of parents' names and addresses and a timeline for return of completed mailing information. NJOSEP will consider providing compensation to districts to prepare the address files based on number of students. Ongoing phone assistance will be available to districts to respond to questions. NJOSEP will use a tracking system to monitor receipt of address files from each district and to determine completeness of the mailing information. **(Activity: 2006- 2007 through 2010-2011)**

To increase response rates and accuracy of mailing addresses, NJOSEP conducted two teleconferences for districts participating in the fourth cohort of districts to explain the parent survey and their role in data collection. Emphasis was placed on facilitating parent involvement from minority families, a need identified from prior data collection years. Suggestions for publicizing the parent survey and encouraging parent participation were provided. Districts were given an excel template that included formatting and entry checks to provide consistency in the data entry of parents' names and addresses. Districts were also provided with a timeline for return of completed mailing information. NJOSEP offered districts compensation through a reimbursement contract for expenditures associated with preparation of parent address files and for activities associated with informing parents of the survey mailing, based on the number of students with disabilities. Scheduled teleconferences as well as ongoing telephone assistance were provided to districts to assist in using the EXCEL template to compile parent address files. NJOSEP used a tracking system to monitor receipt of address files from each district and to determine completeness of the mailing information. Follow-up contact was made with districts who provided incomplete address files or who missed timelines for submission of address files. Beginning in 2007-2008 and continuing for subsequent cohorts, in addition to a paper survey, parents were given the option of responding to the survey on-line. (Activity 2009-2010)***

Targeted Assistance: In addition to the previously mentioned strategies, during the winter of 2009 and spring of 2010, NJOSEP provided targeted technical assistance to participating districts in cohort IV with large enrollments of minority students with disabilities (including but not limited to Abbott districts) to facilitate collection of accurate mailing addresses for families. Districts were contacted individually *prior to the submission* of their address files to review directions for the compilation and submission of address files. In addition, prior to the dissemination of the survey, technical assistance was provided to individual districts with large enrollments of minority students (including but not limited to Abbott districts) in order to systematically plan and implement strategies to increase the participation of minority families of students with disabilities who reside in these districts. **(Activity: 2009-2010)*****

II. Systems Administration

NJOSEP will seek approval to secure a treasury waiver for future data collection. New Jersey's fiscal requirements limit the amount of money that can be bid to a vender during one fiscal year without

Treasury approval. Because a second data collection is proposed to occur within the same year as the baseline data, NJOSEP will seek Treasury approval. **(Activity: 2006- 2007 through 2010-2011)**
 NJOSEP contracted with Rutgers University's Bloustein Center for survey research to provide assistance with completing the preparation, dissemination and analysis of the parent survey. **(Activity: 2009-2010)*****

III. Publicity

To increase response rates, NJOSEP will include a description of the parent involvement study, copies of the survey and the names of future districts on the NJOSEP website so that families and districts will have advanced information on when their surveys will be disseminated.

(Activity: 2006- 2007)***

NJOSEP will also elicit the assistance of the statewide parent advocacy network (SPAN) and local district parent groups to disseminate information about the survey and the importance of parental participation. **(Activity: 2006-2007)*****

To increase response rates, NJOSEP includes a description of the parent involvement survey, copies of the survey and the names of districts by cohort on the NJOSEP website located at <http://www.nj.gov/education/specialed>.

NJOSEP employs a number of additional strategies to publicize the parent survey within each district. During the parent survey technical assistance sessions, NJOSEP asks participating districts to contact their parent groups for help in disseminating advance information about the survey to encourage parent participation. In addition, NJOSEP provides districts with a sample letter that districts could use to inform parents in advance about the survey. Additionally, suggestions are made to inform parents during IEP meetings and other parent events about the parent survey and the importance of their participation. **(Activity: 2009-2010)*****

The Statewide Parent Advocacy Network (SPAN) also provides assistance to disseminate information about the parent survey through their website and newsletter. **(Activity: 2009-2010)*****

IV. Use of Survey Results

NJOSEP conducts further data analysis to review items with less favorable responses to determine potential areas for improvement planning. NOSEP reviews existing parent involvement activities to determine enhancement of existing activities and/or development of new activities.

NJOSEP reviews the results of item level and district level analyses with monitoring and compliance units to determine implications for those activities. **(Activity: 2006- 2007)*****

NOSEP is incorporating this information into existing parent involvement activities to enhance existing activities and/or development of new activities.

NJOSEP continues to share the results of item level and district level analyses with monitoring and compliance units to determine implications for those activities. **(Activity: 2009-2010)*****

V. Regulations

- a. The department proposed regulations on November 2, 2005 requiring each district board of education to ensure that a special education parent advisory group is in place in the district to provide input to the district on issues concerning students with disabilities. This requirement was adopted on September 5, 2006. **(Activity 2005-2006)*****

- b. During the 2006-2007 school year, NJOSEP will conduct county level trainings for directors of special education regarding highlighting new special education regulations. The requirement for the establishment of a special education parent advisory group will be among the regulations discussed at the training sessions. **(Activity: 2006-2007)**

VI. Self-Assessment/Monitoring Process

- a. NJOSEP has realigned its self-assessment /monitoring system to be consistent with the SPP indicators. Section V. of the NJOSEP self-assessment/monitoring process is Parent Involvement and is related to SPP Indicator #8. This section requires local districts to review input from parents collected through sources such as a local survey, parent group input, stakeholder meetings and interviews and to conduct a compliance review of requirements related to Parental Involvement. Parent involvement is also a component of Section VI. Disproportionate Representation of Racial and Ethnic Groups in Special Education review of policies, procedures, and practices. Additionally, as part of the self-assessment process, each LEA must form a steering committee that includes a minimum of two parents of students with disabilities, one of which must be a representative of the district's special education parent advisory group. **(Activity 2006-2007)*****

VII. Personnel Development

NJSIG Partnership with the Statewide Parent Advocacy Network:

Between **September 1, 2006 and August 31, 2007**, NJOSEP continued its partnership with SPAN, through the START project, to conduct family-school collaboration activities. These activities focused on the need to improve family-school collaboration, increase family resources, and enhance parent involvement in program and placement decisions. More specifically, activities addressed the following eight components: (1) Parent Support Group Initiative; (2) Parent-Educator Collaboration; (3) Peer Consultant Network; (4) Literacy and Core Curriculum Content Standards Project; (5) Web-Based Information and Support Project; (6) Regional Mini-Conferences and Teleconferences on Inclusion; (7) Regional Mini-Conferences and Teleconferences and Transition; and (8) SPAN Conference Scholarship Program.

Objective 1. Parent Support Group Initiative:

Provide direct technical assistance and leadership development expertise to increase the capacity and sustainability of existing local parent/family support groups and to develop new local parent/family groups, particularly for parents/caregivers who are located in underserved regions or have historically been underserved due to language, race or ethnicity.

- START staff provided on-going technical assistance to new and/or emerging parent support groups across the three regions of the state.
- START staff provided technical assistance for existing parent support groups across the three regions of the state.

Objective 2. Parent-Educator Collaboration

Provide direct training and train-the-trainer instruction and technical assistance to improve collaboration and communication between parents/caregivers and special education professionals in order to increase effective parent involvement in the IEP process. Regional trainings are conducted throughout the state to facilitate parent-educator collaboration

Objective 3. Peer Consultant Network

Develop a Peer Consultant Network to provide support, technical assistance and one-on-one training families in order to assist in their collaboration in the development and implementation of programs and services for their children by providing techniques to effectively communicate information regarding their children and their needs.

Objective 4. Literacy and Core Curriculum Content Standards Project

Through this three year initiative, in collaboration with the Office of Reading First, training and technical assistance is provided for Reading First schools focusing on strategies and techniques for involving families in fostering literacy for students with disabilities and collaborating with the school to support their children's progress in New Jersey's core curriculum content standards (NJCCCS). Training of new school teams as well as follow-up support for existing teams is provided through regional sessions.

Objective 5. Web-Based Information and Support Project.

This activity funded the creation and dissemination of information and resources for families of students with disabilities on the SPAN website under Project START activities.

The following are examples of information developed and disseminated.

- Developed and disseminated resources and information for local Parent Support Groups.
- Developed and disseminated resources and information for schools, educators, administrators, parents and students on Transition-to-Adult Life.
- Developed and disseminated resources and information for schools, educators, administrators, and parents and students on Transition-to-Adult Life.

Objective 6. Regional Mini-Conferences and Teleconferences on Inclusion:

Provide a series of regional (North, Central and South) mini-conferences and teleconferences for parents and educators on research, benefits and best practices for including students with disabilities in general education settings with their typical peers.

Objective 7. Regional Transition Teleconferences on Transition-to-Adult Life

Provide a series of regional (North, Central and South) teleconferences for parents and educators on research and best-practices in transition students with disabilities to adult life.

Objective 8. Sponsoring Conference Attendance:

Sponsor the attendance at SPAN's Annual Statewide Conference for 50 parents/caregivers of children with disabilities who otherwise would not be able to attend this conference.

NJOSEP Cooperative Agreement Partnership with the Statewide Parent Advocacy Network (SPAN)

Between November 1, 2009 and December 31, 2010, NJOSEP continued its partnership with the Statewide Parent Advocacy Network (SPAN), through the START (Statewide Technical Assistance Resource Team) project, to further family-school collaborative relationships, increase family resources, and enhance the involvement of parents/caregivers in program and placement decisions. Specifically, activities addressed the following components: (1) Parent Group Initiative; (2) Family-Educator Collaboration; (3) Web-Based Information and Support Project; (4) Regional Proactive Workshops, Mini-Conferences, and Teleconferences on Inclusion; and (5) Regional Mini-Conferences and Teleconferences on Transition. **(Activity: 2009-2010)*****

Component 1. Parent Support Group Initiative:

SPAN provided direct technical assistance and leadership development expertise to increase the capacity and sustainability of existing local parent/family support groups and to develop new local

parent/family groups, particularly for parents/caregivers who are located in underserved regions or have historically been underserved due to language, race or ethnicity. **(Activity: 2009-2010)*****

Component 2. Family-Educator Collaboration:

SPAN in collaboration with NJOSEP provided direct training and technical assistance to enhance collaboration and communication between parents/caregivers and special education professionals in order to increase effective parent involvement in the education of children with disabilities. The following trainings for parents and educators were conducted across the state. **(Activity: 2009-2010)*****

Component 3. Web-Based Information and Support Project:

Through web-based information and support, SPAN served families of children with disabilities and supported the enhancement of New Jersey special education programs. **(Activity: 2009-2010) *****

Component 4. Regional Proactive Workshops, Mini-Conferences, and Teleconferences on Inclusive Practices:

SPAN in collaboration with NJOSEP provided professional development opportunities for parents/caregivers and educators to enhance their knowledge and skills about educating students with disabilities in general education settings with their typical peers with appropriate supports and services. **(Activity: 2009-2010)*****

Component 5. Regional Mini-Conferences and Teleconferences on Transition-to-Adult Life

SPAN in collaboration with NJOEP provided regional mini-conferences and teleconferences for parents and educators on the benefits, and best practices in Transition-to-Adult-Life planning and programming for students with disabilities. **(Activity: 2009-2010)*****

Indicator # 9: Disproportionality – Child with a Disability
Part B State Performance Plan (SPP) for 2005-2012

Revised 2/1/11 to Reflect FFY 2011 and FFY 2012 SPP/APR Extension

Overview of the State Performance Plan Development:

The requirements for SPP Indicator # 9, Disproportionality, were originally discussed at the stakeholder meeting on November 3, 2005. Specifically, NJOSEP staff reviewed the Indicator, Data Source, Measurement, and Instructions for the Indicator and Measurement.

Additionally, the following information was presented to the stakeholder group:

- the State's proposed definition of "disproportionate representation";
- the proposed statistical measures that will be used to target districts for review of policies, procedures, and practices; (Stakeholders were informed that NJOSEP was still reviewing statistical options for targeting districts in order to ensure a valid subgroup size for larger and smaller districts);
- two examples illustrating the application of the statistical measures (one example that applied to a district with a total student enrollment of 1,000 or greater and one example that applied to districts with a total student enrollment of less than 1,000;
- the tiered level for reviewing policies, procedures, and practices to determine if disproportionality is the result of inappropriate identification and the criteria for determining the level of review; and
- the requirements for the February 2007 Annual Performance Report.

Stakeholder Input: A recommendation was made to include the NCSEAM Parent Survey as one of the protocols used as part of the review of policies, procedures and practices. NJOSEP will follow this suggestion and incorporate the protocol into the review process.

Update of the State Performance Plan Development:

A stakeholder meeting was held on September 26, 2006 to provide an update on the following:

- the State's definition of "disproportionality";
- the revised calculations for identifying districts for review of policies, procedures, and practices;
- the process and protocol for review of policies, procedures, and practices; and
- the approximate number of districts that will be targeted for self assessment during the 2006-2007 school year.

Stakeholder Meeting January 14, 2011: At the stakeholder meeting conducted on January 14, 2011, stakeholders were informed that the target for this indicator of 100% would be the same for the two-year extension of the SPP period. The state's definition of disproportionality, the calculations for identifying districts for this indicator and the process for the review of policies, procedures and practices were reviewed. Stakeholders provided input regarding strategies for reducing disproportionate representation.

Monitoring Priority: Disproportionality

Indicator #9: Percent of districts with disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification. (20 U.S.C. 1416(a)(3)(C)).

Measurement: Percent = # of districts with disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification divided by # of districts in the State times 100.

Overview of Issue/Description of System or Process:

FFY 2006 SPP Update – Definition of Disproportionate Representation: Over-representation/Under-representation

State’s definition of “disproportionate representation”

NJOSEP defined disproportionate representation, i.e., **over-identification/under- identification**, from both a functional and statistical perspective.

Functional Definition: Implementation of policies, procedures, and practices in the general education instructional, behavioral, and intervention process and/or the special education identification, referral, evaluation or eligibility determination process that results in a **systemic, pervasive, persistent pattern** of inappropriate **over-representation and under-representation** of students with disabilities of a specific racial/ethnic group as eligible for special education and related services or in a specific eligibility category.

Statistical Definition: NJOSEP, with technical assistance provided through the USDOE, Office for Civil Rights, developed a process for determining disproportionate representation (**over-representation/under-identification**). NJOSEP’s process involved the use of multiple measures to statistically determine disproportionate **over-representation and under-representation**. In this way, NJOSEP was able to use a statistical process that was consistent with the functional definition.

The measures included three descriptive statistics:

- unweighted risk ratio
- risk rate comparison
- a measure of impact comparing expected vs. observed numbers of students identified as eligible for special education (**systemic, pervasive**)

The measures included a statistical test, of significance – chi square.

In order to determine **persistence**, districts were ranked on each of the three measures (risk ratio, risk rates, and a measure of impact (i.e., number of students impacted by the disproportionality) over a three year period (2003-2004, 2004-2005, 2005-2006). Ranks for the three year period were totaled and those districts with the lowest ranks (Ranks of 1 to 50) were identified. In order to ensure statistical significance a chi-square test was used; each of the districts was found to be statistically significant with regard to disproportionate representation (**over-representation/under-representation**).

FFY 2006 SPP Update – Review of Policies, Procedures, Practices

Describe how data are to be collected so that the State will be able to report baseline data and targets in the FFY 2005 APR due 2/1/07

Response to issues identified in USOSEP’s letter responding to the State’s SPP/APR submitted February 1, 2007

Issue

The NJOSEP APR 2005 Response Table states: *"The State must provide, in its FFY 2006 APR, baseline data from FFY 2005 on the percent of districts identified with disproportionate representation of racial and ethnic groups in special education and related services that was the result of inappropriate identification, and describe how the State made that determination (e.g., monitoring data, review of policies, practices, and procedures, etc.). The State indicated that the review of districts identified as having disproportionate representation as a result of inappropriate identification will be reported to USOSEP no later than the submission of the FFY APR submitted February 1, 2008.*

Response to Issue: District Review of Policies, Procedures and Practices

NJOSEP has aligned its monitoring process to the federal monitoring priorities and SPP indicators. One of the priority areas used to target districts for comprehensive self-assessment and monitoring during the 2006-2007 school year is disproportionality. The self-assessment includes: data verification, a review of compliance indicators related to Location, Identification, and Referral, Evaluation, and Eligibility Determinations. Additionally, a comprehensive "practice" protocol has been developed to complement the compliance review of policies and procedures that includes practices related to: administrative oversight, general education interventions and supports, parent-family involvement, assessment tools and strategies, written reports of assessment findings, eligibility decision-making process, and bilingual considerations.

FFY 2006 SPP Update – Baseline Data**Response to issues identified in USOSEP's letter responding to the State's SPP/APR submitted February 1, 2007****Issue:**

The NJOSEP APR 2005 Response Table states: *The State provided data on the number of districts with disproportionate representation, but did not identify the number with disproportionate representation in special education and related services that is the result of inappropriate identification...."*

Response to Issue**Baseline Data for 2005-2006:**

27/629 = .04 x 100 = 4% of districts with disproportionate representation of racial and ethnic groups in special education and related services that is **the result of inappropriate identification.**

Discussion of Baseline Data 2005-2006:

Based on the results of the self-assessment process described above, NJOSEP identified 27* districts with disproportionate representation of racial and ethnic groups in special education and related services that was the result of inappropriate identification. There are 629 districts, including charter schools, responsible for determining the eligibility of students with disabilities. The disproportionate representation detailed below is over-representation, although under-representation was examined.

Black All Disabilities	Hispanic All Disabilities
21 districts – Disproportionate Representation (Over- representation)	8 districts – Disproportionate Representation (Over-representation)
Asian All Disabilities 0 districts	Native American All Disabilities 0 districts

*NOTE: 2 districts identified for both Black – All Disabilities and Hispanic All Disabilities

Through the self-assessment process, 27 of the 28 districts targeted through the statistical methodology described above, identified from their self-assessment review, policies, procedures and practices that may be contributing to inappropriate identification.

FFY	Measurable and Rigorous Target
2005 (2005-2006)	Target = 0% of districts with disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification.
2006 (2006-2007)	Target = 0% of districts with disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification.
2007 (2007-2008)	Target = 0% of districts with disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification.
2008 (2008-2009)	Target = 0% of districts with disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification.
2009 (2009-2010)	Target = 0% of districts with disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification.
2010 (2010-2011)	Target = 0% of districts with disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification.
2011 (2011-2012)	Target = 0% of districts with disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification.
2012 (2012-2013)	Target = 0% of districts with disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification.

Improvement Activities/Timelines/Resources:

NOTE: Activities that will be continued through 2012-2013 are represented by the symbol *.**

I. Self-Assessment/Monitoring and Improvement Planning: NJOSEP has realigned its self-assessment/ monitoring system to be consistent with the SPP indicators. The new system links compliance, data and programming by requiring districts to review compliance in areas related to SPP indicators and their data compared to state targets. Following the review, conducted through self-assessment, districts must identify activities to correct noncompliance and activities for continuous improvement toward state SPP targets.

As part of the new monitoring cycle, NJOSEP reviewed eligibility and placement data to identify districts demonstrating disproportionate representation based on race and ethnicity with respect to eligibility determinations and placement in separate special education public and/or private settings. Each district identified for self-assessment will complete a protocol to identify needs for continuous improvement in equitable identification policies, procedures and practices and review the related compliance requirements. Other related requirements, in areas such as IEP and parent involvement, will also be reviewed. Districts that self-identify noncompliance will be required to correct noncompliance within one year. Verification of progress toward correction will be conducted within six months of identification of noncompliance by monitors and supervisors of child study. Districts identified for disproportionate representation will be required to develop and implement improvement strategies to correct noncompliance and change practices that may be contributing to inappropriate identification. **(Activity: 2005-2006 to 2010-2011)**

Targeted Review: NJOSEP will conduct an onsite targeted review of policies, procedures and practices that may contribute to inappropriate identification in districts identified for disproportionate representation. A report will be generated that will list noncompliance and corrective actions. Districts will be required to correct any noncompliance within one year of identification in accordance with the USOSEP 09-02 memo. **(Activity: 2010-2011)*****

II. Technical Assistance

NJOSEP, in collaboration with the New York Regional Office, Office for Civil Rights and the Northeast Regional Resource Center will provide technical assistance to districts identified as having disproportionate representation with regard to the following:

- district level, building level data analyses;
- use of a data collection tool to track general education interventions (type, frequency, duration); the outcome of general education interventions with regard to referral for special education, reason for referral, referring party, out of referral, if evaluated outcome of evaluation, if eligible, eligibility category and placement determination. This protocol was developed in collaboration with the Office for Civil Rights, Region II Office, the New York University Equity Assistance Center, and the Northeast Regional Resource Center;
- use of a compliance and “practices” protocol, as described above, to analyze factors that may be contributing to disproportionate representation and develop improvement strategies to address practices that may be contributing to inappropriate identification. **(2005-2006 to 2010-2011)**

Indicator # 10: Disproportionality – Eligibility Category**Part B State Performance Plan (SPP) for 2005-2012****Revised 2/1/11 to Reflect FFY 2011 and FFY 2012 SPP/APR Extension****Overview of the State Performance Plan Development:**

The requirements for SPP Indicator # 10, Disproportionality, were discussed at the stakeholder meeting on November 3, 2005. Specifically, NJOSEP staff reviewed that Indicator, Data Source, Measurement, and Instructions for the Indicator and Measurement.

Additionally, the following information was presented to the stakeholder group:

- the State's proposed definition of "disproportionate representation";
- the statistical measures that will be used to target districts for review of policies, procedures, and practices; (Stakeholders were informed that NJOSEP was still reviewing statistical options for targeting districts in order to ensure a valid subgroup size for larger and smaller districts);
- two examples illustrating the application of the statistical measures (one example that applied to a district with a total student enrollment of 1,000 or greater and one example that applied to district with a total student enrollment of less than 1,000;
- the tiered level for reviewing policies, procedures, and practices to determine if disproportionality is the result of inappropriate identification and the criteria for determining the level of review; and
- the requirements for the February 2007 Annual Performance Report.

Stakeholder Input: A recommendation was made by a representative of the stakeholder group to include the NCSEAM Parent Survey as one of the protocols used as part of the review of policies, procedures and practices. NJOSEP will follow this suggestion and incorporate the protocol into the review process.

Stakeholder Meeting January 14, 2011: At the stakeholder meeting conducted on January 14, 2011, stakeholders were informed that the target for this indicator of 100% would be the same for the two-year extension of the SPP period. The state's definition of disproportionality, the calculations for identifying districts for this indicator and the process for the review of policies, procedures and practices were reviewed. Stakeholders provided input regarding strategies for reducing disproportionate representation.

Monitoring Priority: Disproportionality
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Indicator # 10: Percent of districts with disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification. (20 U.S.C. 1416(a)(3)(C)).

Measurement: Percent = # of districts with disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification divided by # of districts in the State times 100.
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Overview of Issue/Description of System or Process:

Describe how data are to be collected so that the State will be able to report baseline data and targets in the FFY 2005 APR due 2/1/07

FFY 2006 SPP Update – Definition of Disproportionate Representation: Over-representation/Under-representation

State’s definition of “disproportionate representation”

NJOSEP defined disproportionate representation, i.e. **over-identification/under- identification**, from both a functional and statistical perspective

Functional Definition: Implementation of policies, procedures, and practices in the general education instructional, behavioral, and intervention process and/or the special education identification, referral, evaluation or eligibility determination process that results in a **systemic, pervasive, persistent pattern** of inappropriate **over-representation and under-representation** of students with disabilities of a specific racial/ethnic group as eligible for special education and related services or in a specific eligibility category.

Statistical Definition: NJOSEP, with technical assistance provided through the USDOE, Office for Civil Rights, developed a process for determining disproportionate representation (**over-representation/under-identification**). NJOSEP’s process involved the use of multiple measures to statistically determine disproportionate **over-representation and under-representation**. In this way, NJOSEP was able to use a statistical process that was consistent with the functional definition.

The measures included three descriptive statistics:

- unweighted risk ratio
- risk rate comparison
- a measure of impact comparing expected vs. observed numbers of students identified as eligible for special education (**systemic, pervasive**)

The measures included a statistical test, of significance – chi square.

In order to determine **persistence**, districts were ranked on each of the three measures (risk ratio, risk rates, and a measure of impact (i.e. number of students impacted by the disproportionality) over a three year period (2004-2005, 2005-2006, 2005-2006). Ranks for the three year period were totaled and those districts with the lowest ranks (Ranks of 1 to 50) were identified. In order to ensure statistical significance a chi-square test was used; each of the districts was found to be statistically significant with regard to disproportionate representation (**over-representation/under-representation**).

For the purpose of identifying districts with disproportionate representation (**over-representation/under-representation**) of racial-ethnic groups in specific disability categories, NJOSEP:

- applied the chi-square to this pool of districts (regardless of rank) for each racial-ethnic group and for the disability categories of specific learning disability, mental retardation, other health impaired, emotionally disturbed, language impaired, and autism; and
- applied a measure of impact comparing expected vs. observed numbers of students identified as eligible for special education.

Districts in which the impact was greater than 10 students were identified as having a “disproportionate representation” of racial and ethnic groups in specific disability categories.

FFY 2006 SPP Update – Review of Policies, Procedures, Practices

Describe how data are to be collected so that the State will be able to report baseline data and targets in the FFY 2005 APR due 2/1/07

Response to issues identified in USOSEP's letter responding to the State's SPP/APR submitted February 1, 2007

Issue

The NJOSEP APR 2005 Response Table states: *"The State must provide, in its FFY 2006 APR, baseline data from FFY 2005 on the percent of districts identified with disproportionate representation of racial and ethnic groups in special education and related services that was the result of inappropriate identification, and describe how the State made that determination (e.g., monitoring data, review of policies, practices, and procedures, etc.). The State indicated that the review of districts identified as having disproportionate representation as a result of inappropriate identification will be reported to USOSEP no later than the submission of the FFY APR submitted February 1, 2008."*

Response to Issue: District Review of Policies, Procedures and Practices

NJOSEP has aligned its monitoring process to the federal monitoring priorities and SPP indicators. One of the priority areas used to target districts for comprehensive self-assessment and monitoring during the 2006-2007 school year is disproportionality. The self-assessment includes: data verification, a review of compliance indicators related to Location, Identification, and Referral, Evaluation, and Eligibility Determinations. Additionally, a comprehensive "practice" protocol has been developed to complement the compliance review of policies and procedures that includes practices related to: administrative oversight, general education interventions and supports, parent-family involvement, assessment tools and strategies, written reports of assessment findings, eligibility decision-making process, and bilingual considerations.

FFY 2006 SPP Update – Baseline Data

Response to issues identified in USOSEP's letter responding to the State's SPP/APR submitted February 1, 2007

Issue:

The NJOSEP APR 2005 Response Table states: *"The State provided the number of districts with disproportionate representation in specific disability categories, but did not identify the number with disproportionate representation in specific disability categories that is the result of inappropriate identification"*

Baseline Data for FFY 2005 (2004-2005):

15/629 = .02 x 100 = 2% of districts with disproportionate representation of racial and ethnic groups in specific disability categories that is **the result of inappropriate identification.**

Discussion of Baseline Data:

Based on the results of the self-assessment process described below, NJOSEP identified 15 districts with disproportionate representation specific racial and ethnic groups in special education and related services, in a specific disability category. There are 629 districts, including charter schools, responsible for determining the eligibility of students with disabilities. The disproportionate representation detailed below is over-representation, although under-representation was examined.

Through the self-assessment process, 15 of the 15 districts targeted through the statistical methodology described above, identified from their self-assessment review, policies, procedures and practices that may be contributing to inappropriate identification.

Black	Hispanic	Asian	Native American
Specific Learning Disability 2 districts	Specific Learning Disability 1 district	Specific Learning Disability 0 districts	Specific Learning Disability 0 districts
Emotionally Disturbed 10 districts	Emotionally Disturbed 0 districts	Emotionally Disturbed 0 districts	Emotionally Disturbed 0 districts
Mental Retardation 4 districts	Mental Retardation 0 districts	Mental Retardation 0 districts	Mental Retardation 0 districts
Language Impaired 2 districts	Language Impaired 2 districts	Language Impaired 0 districts	Language Impaired 0 districts
Other Health Impaired 2 districts	Other Health Impaired 0 districts	Other Health Impaired 0 districts	Other Health Impaired 0 districts
Autism 0 districts	Autism 0 districts	Autism 0 districts	Autism 0 districts

FFY	Measurable and Rigorous Target
2005 (2005-2006)	Target = 0% as per requirement of USOSEP
2006 (2006-2007)	Target = 0% as per requirement of USOSEP
2007 (2007-2008)	Target = 0% as per requirement of USOSEP
2008 (2008-2009)	Target = 0% as per requirement of USOSEP
2009	Target = 0% as per requirement of USOSEP

(2009-2010)	
2010 (2010-2011)	Target = 0% as per requirement of USOSEP
2011 (2011-2012)	Target = 0% as per requirement of USOSEP
2012 (2012-2013)	Target = 0% as per requirement of USOSEP

Improvement Activities/Timelines/Resources:

NOTE: Activities that will be continued through 2012-2013 are represented by the symbol *.**

Technical Assistance:

NJOSEP will provide technical assistance to districts identified as having disproportionate representation with regard to the following:

- use of a data collection tool to track general education interventions (type, frequency, duration); the outcome of general education interventions with regard to referral for special education, reason for referral, referring party, out of referral, if evaluated outcome of evaluation, if eligible, eligibility category and placement determination. This protocol was developed in collaboration with the Office for Civil Rights, Region II Office, the New York University Equity Assistance Center, and the Northeast Regional Resource Center.
- use of a “practice” protocol to analyze factors that may be contributing to disproportionate representation and develop improvement strategies to address practices that may be contributing to inappropriate identification. **(Activity: 2005-2006)*****

Targeted Review: NJOSEP will conduct an onsite targeted review of policies, procedures and practices that may contribute to inappropriate identification in districts identified for disproportionate representation. A report will be generated that will list noncompliance and corrective actions. Districts will be required to correct any noncompliance within one year of identification in accordance with the USOSEP 09-02 memo. **(Activity 2010-2011)*****

Indicator # 11 Child Find**Part B State Performance Plan (SPP) for FFY 2005-2012****Revised 2/1/11 to Reflect FFY 2011 and FFY 2012 SPP/APR Extension****Overview of the State Performance Plan Development:**

A stakeholder meeting was held on January 21, 2010 to discuss the changes to the Measurement for this indicator. Additionally, stakeholders were presented with the data for this indicator, which indicated slippage from FFY 2007. JOSEP staff informed stakeholders that they were reviewing the local district data to determine the reason(s) for the decrease in the number of evaluations completed within the state established timeline.

Stakeholder Meeting January 14, 2011:

A stakeholder meeting was held on January 14, 2011 to discuss the extension of the targets to this indicator. Additionally, stakeholders were presented with the data for this indicator, which indicated slippage from FFY 2007. NJOSEP staff informed stakeholders that they were reviewing the local district data to determine the reason(s) for the decrease in the number of evaluations completed within the state established timeframe. Improvement activities to assist districts with timely evaluations were discussed.

Monitoring Priority: Effective General Supervision Part B/Child Find

Indicator 11: Percent of children who were evaluated within 60 days of receiving parental consent for initial evaluation or, if the State establishes a timeframe within which the evaluation must be conducted, within that timeframe.

(20 U.S.C. 1416(a)(3)(B))

Revised Measurement**Measurement:**

- a. # of children for whom parental consent to evaluate was received.
- b. # of children whose evaluations were completed within 60 days (or State-established timeline).

Account for children included in a but not included in b. Indicate the range of days beyond the timeline when the evaluation was completed and any reasons for the delays.

Percent = [(b) divided by (a)] times 100.

Information about the State's established timeline for initial evaluations and State-established exceptions

In accordance with 34 C.F.R. §300.301(c)(1)(ii) and 34 C.F.R. §300.301(c)(1)(ii), New Jersey has established a timeline within which evaluations must be completed and has also established procedures by which eligibility is determined. New Jersey's system of evaluation and determination of eligibility includes the following procedures which must be completed within specific timelines from when a parent provides consent for evaluation, as detailed in New Jersey's special education regulations. These include providing written notice of a meeting; disseminating to the parents any evaluations or reports that

will be used to determine eligibility, at least 10 days prior to the eligibility meeting; conducting the eligibility meeting; and if the student is eligible, conducting an IEP meeting; providing written notice of the IEP; obtaining consent to implement the IEP; and having a program that is in place for the student. To comply with the requirement to have the entire process completed within 90 days from the date parental consent is obtained. **The data for this indicator are collected based on the requirement that evaluations and a written report must be completed no later than the 65th day from parent consent.**

Describe the method used to collect data

Beginning in FFY 2007, statewide census data for this indicator are collected through the Annual Data Report which is now reported to NJDOE through the New Jersey Standards Measurement and Resource for Teaching (NJSMART) student level data base on October 15th of each year. LEAs report dates of consent and dates for the completion of evaluations, by student. Reasons for any delays in meeting evaluation timelines are also reported by student. Data are aggregated to the district and state level for reporting in Indicator 11 and for analysis to identify and correct noncompliance.

Baseline Data for FFY 2005 (2005-2006)

83.9% of children with parental consent to evaluate were evaluated within New Jersey's established timeline.

Discussion of Baseline Data for FFY 2005

New Jersey's performance for this indicator of 83.9%, fell short of the 100% compliance target. School districts reported that initial evaluations and other required activities for 4114 school age students were not completed within required timelines. The reasons for the delay included:

Missed appointments by parents	859	
Illness of parent or family member	87	
Parent vacations	<u>132</u>	
Child not made available	1078	26.2%
Specialized evaluations needed	489	
Additional evaluations needed	<u>444</u>	
Evaluation related issues	933	22.7%
Staff shortages	566	13.8%
Staff vacations	132	3.2%
Mediation or due process hearing	10	
Incomplete Residency/Enrollment Information	27	
Other	1221	29.7%

School districts also report that 4114 cases or 16% of cases were delayed beyond the timeline. Of those completed beyond the timeline, 33% were completed within 15 days of the timeline and 52% (cumulatively) were completed within 30 days of the timeline.

FFY	Measurable and Rigorous Target
2005 (2005-2006)	100% of children with parental consent to evaluate, who were evaluated within New Jersey's established timeline
2006 (2006-2007)	100% of children with parental consent to evaluate, who were evaluated within New Jersey's established timeline
2007 (2007-2008)	100% of children with parental consent to evaluate, who were evaluated within New Jersey's established timeline
2008 (2008-2009)	100% of children with parental consent to evaluate, who were evaluated within New Jersey's established timeline
2009 (2009-2010)	100% of children with parental consent to evaluate, who were evaluated within New Jersey's established timeline
2010 (2010-2011)	100% of children with parental consent to evaluate, who were evaluated within New Jersey's established timeline
2011 (2011-2012)	100% of children with parental consent to evaluate, who were evaluated within New Jersey's established timeline
2012 (2012-2013)	100% of children with parental consent to evaluate, who were evaluated within New Jersey's established timeline

Improvement Activities/Timelines/Resources:

NOTE: Activities that will be continued through 2012-2013 are represented by the symbol *.**

Correction of Noncompliance

Districts identified with delays based on the analysis of data regarding timelines for initial evaluation receive written notification of noncompliance. A targeted review of implementation of child find requirements is conducted for each district with a finding of noncompliance. The targeted review included: 1) a review of data regarding the completion of delayed evaluations; and 2) a review of data submitted to NJOSEP regarding timelines for evaluations conducted subsequent to delayed evaluations to determine if the state established timeline was being met. Interviews are conducted with directors as needed to identify barriers to timely evaluations. Policies, procedures and practices were discussed with directors

as needed. All districts identified with delays demonstrated correction within one year of identification. (Activity 2006-2007)***

Data Collection and Analysis

- a. **State Level Data Analysis** - The initial implementation of this data collection yielded useful information with respect to the number of cases that were not completed within New Jersey's timeline. However, it was intended that the data collection instrument would permit the school district to check "Other" and to specify additional reasons for delay that were not captured by the list. NJOSEP will take steps to modify the data collection table so as to permit the recording of all reasons contributing to delay. NJOSEP will further refine the list of reasons as needed and modify the tables to ensure clarity in the instructions. **(Activity: 2006-2007)*****
- b. **District Level Analysis** - NJOSEP will analyze the data at the school district level to determine which districts are below the required target. Delays that resulted because the parents did not make the child available or the school district and parents were engaged in mediation or due process will not count against district performance. NJOSEP will study the impact of the need for additional evaluations (not part of the original evaluation plan), the need for specialized evaluations, staff shortages and incomplete enrollment information on the timelines. **(Activity 2006-2007)**

Policy and Regulation

NJOSEP will update guidance to school districts with respect to evaluation requirements, including timelines. In particular, the guidance will reflect changes that permit flexibility in timelines for students who were in the process of being evaluated when they transferred to a new school district. **(Activity: 2006-2007)**

Indicator # 12: Early Childhood Transition**Part B State Performance Plan (SPP) for 2005-2012****Revised 2/1/11 to Reflect FFY 2011 and FFY 2012 SPP/APR Extension****Overview of the State Performance Plan Development:**

Indicator #12, Early Childhood Transition, was discussed at the first stakeholder meeting held on October 21, 2005. At the meeting, NJOSEP staff presented an overview of the indicator and provided information regarding data that was currently available and data that needs to be collected through the state system.

Stakeholder Input: The target for the indicator is 100% and the issues surrounding data collection were presented. There was little discussion regarding this indicator.

Stakeholder Meeting January 14, 2011: At the stakeholder meeting conducted on January 14, 2011, stakeholders were informed that the target for this indicator of 100% would be the same for the two-year extension of the SPP period. The process for collecting and analyzing data for this indicator was reviewed. The rate for this indicator for FFY 2009 was presented as well as the process for identifying and correcting noncompliance when districts do not achieve the 100% target.

Monitoring Priority: General Supervision Part B/Effective Transitions

Indicator #12: Percent of children referred by Part C prior to age 3, who are found eligible for Part B who have an IEP developed and implemented by their third birthday

Revised Measurement**Measurement:**

- # of children who have been served in Part C and referred to Part B (LEA notified pursuant to IDEA section 637(a)(9)(A) for Part B eligibility determination.)
- # of those referred determined to be NOT eligible and whose eligibilities were determined prior to their third birthdays.
- # of those found eligible who have an IEP developed and implemented by their third birthdays.
- # of children for whom parent refusal to provide consent caused delays in evaluation or initial services.
- # of children who were referred to Part C less than 90 days before their third birthdays.

Account for children included in a but not included in b, c, d, or e. Indicate the range of days beyond the third birthday when eligibility was determined and the IEP developed and the reasons for the delays.

Percent = [(c) divided by (a – b – d – e)] times 100.

Overview of Issue/Description of System or Process:

Prior to FFY 2007 data for this indicator were taken from the State data system. The New Jersey Department of Health and Senior Services (Early Intervention System) has shared data with the New Jersey Department of Education 619 Program based on the December 1 count. Data is collected for each of the 21 counties in New Jersey. The data for this indicator is generated by the New Jersey Early Intervention System, specifically the service coordinator at the county level.

Beginning FFY 2007, statewide data for this indicator are collected through the Annual Data Report which is now reported to NJDOE through the New Jersey Standards Measurement and Resource for

Teaching (NJSMART) student level data base on October 15th of each year. LEAs report if the child was receiving services through the early intervention system (EIS), the date of IEP implementation and the reasons for any delays in implementing the IEP beyond the third birthday. Reasons for any delays in meeting evaluation timelines are also reported by student. Data are aggregated to the district and state level for reporting in Indicator 11 and for analysis to identify and correct noncompliance.

Baseline Data for FFY 2004 (2004-2005):

68% of children referred by Part C prior to age 3, who are found eligible for Part B, and have an IEP developed and implemented by their third birthday.

Discussion of Baseline Data:

New Jersey Early Intervention System Data December 2004
New Jersey Department of Health and Senior Services

10f. Age 3, eligible for Part B	2730
10g. Referred Pt B prior 120 timeline, LEA Not Determined	429
Sub-total (a)	3159
10h. Referred prior 120 timeline, eligibility not known	191
10i. Referred after 120 timeline, eligibility not determined	119
10j. Referred after 120 timeline, eligibility not known	48
10l. Pt. B Eligibility not determined/unknown (other)	475
Sub-total(b)	833
10k. Age 3, not eligible for Pt B, exit w/ no referrals	186
10m. Age 3, not eligible for Part B, Exit with Referral	287
Total=Subtotal (a+b)+10k+10m	4,465

- a. # of children who have been served in Part C and referred to Part B for eligibility determination.

Total: 4,465 Total=Subtotal (a+b)+10k+10m

- b. # of those referred determined to be NOT eligible and whose eligibilities were determined prior to their third birthdays.

Total: 473 (10k+10m)

- c. # of those found eligible who have an IEP developed and implemented by their third birthdays.

Total: 2,730 (10f)

Account for children in a (4,465) but not included in b (473) or c (2,730).

Total: 1,262 Children

Category	Number
10g. Referred Pt B prior 120 timeline, LEA Not Determined	429
10h. Referred prior 120 timeline, eligibility not known	191
10i. Referred after 120 timeline, eligibility not determined	119
10j. Referred after 120 timeline, eligibility not known	48
10l. Pt. B Eligibility not determined/unknown (other)	475

Range of delays beyond the third birthday when eligibility was determined and reasons for delays: The existing data bases do not include fields that provide specific information regarding the range of delays beyond the third birthday when eligibility was determined or the reasons for delays. NJOSEP had anticipated that the NJSMART, a Department of Education data warehouse would have provided this type of information; however the data system is still under development.

Consequently, NJOSEP will institute an alternate method of data collection through the monitoring system that will be reported in the February 2007 APR.

Reasons for Delays – Based on technical assistance activities:

Smaller districts with no district operated program need to place out of district and experience difficulty finding an opening.

Larger state operated early childhood program districts fill to capacity in the fall.

Due process proceeding.

Further evaluations needed.

Working families have difficulties coordinating transportation between district placement and after school child care.

Referral received at the district close to the child's third birthday.

Parent chooses a religious setting or to keep the child home.

Parent decides to wait a year.

FFY	Measurable and Rigorous Target
2005 (2005-2006)	100 % Percent of children referred by Part C prior to age 3, who are found eligible for Part B, and who have an IEP developed and implemented by their third birthday.
2006 (2006-2007)	100% Percent of children referred by Part C prior to age 3, who are found eligible for Part B, and who have an IEP developed and implemented by their third birthday.
2007 (2007-2008)	100 % Percent of children referred by Part C prior to age 3, who are found eligible for Part B, and who have an IEP developed and implemented by their third birthday.
2008 (2008-2009)	100% Percent of children referred by Part C prior to age 3, who are found eligible for Part B, and who have an IEP developed and implemented by their third birthday.
2009 (2009-2010)	100% Percent of children referred by Part C prior to age 3, who are found eligible for Part B, and who have an IEP developed and implemented by their third birthday.
2010 (2010-2011)	100% Percent of children referred by Part C prior to age 3, who are found eligible for Part B, and who have an IEP developed and implemented by their third birthday.
2011 (2011-2012)	100% Percent of children referred by Part C prior to age 3, who are found eligible for Part B, and who have an IEP developed and implemented by their third birthday.
2012 (2012-2013)	100% Percent of children referred by Part C prior to age 3, who are found eligible for Part B, and who have an IEP developed and implemented by their third birthday.

Improvement Activities/Timelines/Resources:

Note: **** Indicates activity was the result of stakeholder input. Activities that will be continued through 2012-2013 are represented by the symbol ***.

I. Data Collection and Analyses:

- a. **Range and Reason for Delays:** NJOSEP will develop and implement a data collection system that provides information regarding the range of days beyond the third birthday when eligibility was determined and reasons for delays. NJOSEP will analyze the reasons for delay on an

annual basis and determine the need for regional/county level/ district level improvement planning. **(Activity: 2005-2006)*****

- II. Correction of Noncompliance – Targeted Review:** All school districts that are below the required target and do not have valid reasons for delays will be identified and notified that 100% correction is required within one year of notification. In addition, school districts that have reported numerous cases of delay will be required to submit a mid-year report demonstrating that the outstanding cases have been completed and new cases are being completed within New Jersey's timelines. NJOSEP will conduct an onsite visit or engage in other targeted activities in those school districts that fail to complete outstanding cases, and fail to complete new cases within New Jersey's timeline. **(Activity 2006-2007)*****

III. Policy and Regulation:

- a. Proposed Regulations:** On November 2, 2005, the NJDOE proposed several regulatory changes intended to facilitate the early childhood transition. These proposed regulations include:
- district responsibilities at the transition planning conference; and
 - district responsibilities to ensure that the early intervention service coordinator is invited to the IEP meeting at the request of the parent. **Update for February 2011 Submission: These regulations were adopted on September 5, 2006.**
- b. Implementation of Adopted Regulations:** Following the adoption of the New Jersey Administrative Code a series of training sessions will be conducted to assist in the implementation of the requirements listed above. **(Activity: 2006-2007 through 2008-2009)**

IV. Coordination Across Systems

- NJOSEP (619) will participate on the Part C Steering Committee and the SICC and provide information on this indicator. **(Ongoing Activity: 2005-2006 through 2012-2013)**
- Coordinate taskforce of Part C and B stakeholders to further define and clarify transition reporting categories. **(Ongoing Activity: 2005-2006 through 2012-2013)**
- Track activities generated from contact from the Early Intervention Systems' Regional Early Intervention Collaboratives in response to the Service Coordination Units. **(Ongoing Activity: 2005-2006 through 2012-2013)**
- NJOSEP (619) will coordinate efforts with New Jersey Department of Health and Senior Services, Early Intervention System to disseminate the revised transition booklet for families and continue joint training regarding the early childhood transition process for families, districts, early intervention providers. **(Ongoing Activity 2005-2006 through 2012-2013)*****
- The NJOSEP (619) will continue to work with the Department of Human Services, Early Care and Education Office in the dissemination of information on the early childhood transition to Head Start and childcare. **(Ongoing Activity 2005-2006 through 2012-2013)*****

Indicator # 13: Secondary Transition**Part B State Performance Plan (SPP) for 2005-2012****Revised 2/1/11 to Reflect FFY 2011 and FFY 2012 SPP/APR Extension****Overview of the State Performance Plan Development:**

FFY 2005: Indicator 13, Secondary Transition, was discussed at the first stakeholder meeting held on October 21, 2005. At the meeting, staff from the NJOSEP presented an overview of the new special education monitoring system, which would be used to collect data regarding indicator 13. Indicator #13 was again briefly discussed at the second stakeholder meeting on November 3, 2005. NJOSEP staff presented an overview of the SPP requirements for Indicator 13, reporting that is was a new indicator; the baseline data would be obtained through the monitoring process, and the target for the indicator was 100%. Stakeholders responded positively to the focus of the new monitoring system which included review of outcome data and was aligned with SPP priority areas. Stakeholders were apprised of the revisions to the changes to the measurement for this indicator for FFY 2009 and the revisions to NJOSEP's monitoring system that were made to collect the data based on the revised measurement.

Stakeholder Meeting January 14, 2011: At a stakeholder meeting conducted on January 14, 2011, the USDOE revisions to Indicator 13 were discussed. The targeted review process currently used for identifying noncompliance with this indicator was reviewed. The stakeholders were informed about the 2 year SPP extension and the continuation of a target of 100% for both years. Improvement activities were also discussed. Stakeholder response to the process was positive. They agreed with continuing the improvement activities to increase compliance and positive student outcomes.

Monitoring Priority: Effective General Supervision Part B / Effective Transition

Indicator 13: Percent of youth with IEPs aged 16 and above with an IEP that includes appropriate measurable postsecondary goals that are annually updated and based upon an age appropriate transition assessment, transition services, including courses of study, that will reasonably enable the student to meet those postsecondary goals, and annual IEP goals related to the student's transition services needs. There also must be evidence that the student was invited to the IEP Team meeting where transition services are to be discussed and evidence that, if appropriate, a representative of any participating agency was invited to the IEP Team meeting with the prior consent of the parent or student who has reached the age of majority.

(20 U.S.C. 1416(a)(3)(B))

Measurement: Percent = [(# of youth with IEPs aged 16 and above with an IEP that includes appropriate measurable postsecondary goals that are annually updated and based upon an age appropriate transition assessment, transition services, including courses of study, that will reasonably enable the student to meet those postsecondary goals, and annual IEP goals related to the student's transition services needs. There also must be evidence that the student was invited to the IEP Team meeting where transition services are to be discussed and evidence that, if appropriate, a representative of any participating agency was invited to the IEP Team meeting with the prior consent of the parent or student who has reached the age of majority) divided by the (# of youth with an IEP age 16 and above)] times 100.

Overview of Issue/Description of System or Process:

SPP 2005: Data for this indicator for FFY 2006 were obtained through the NJOSEP self-assessment/monitoring system. Districts selected for special education monitoring in FFY 2006 were required to review a sample of IEPs of students, aged 16 and above, to determine if the IEPs included coordinated, measurable, annual IEP goals and transition services that would reasonably enable the student to meet the post-secondary goals. Districts were required to use the survey, developed by the National Secondary Transition Technical Assistance Center (NSTTAC), to determine whether each IEP contained the required components. An IEP was determined to have “coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet post-secondary goals” if the district responded “yes” to the questions from the survey for that IEP.

FFY 2009 Update – Data for this indicator were obtained for FFY 2009 through a targeted review process. This process was instituted to ensure that all LEAs in the state that have students ages 16 and above enrolled would be included in the review of compliance with Indicator 13 during the FFY 2005-2010 SPP period. During FFY 2009, a selection of districts with students, aged 16 and above was selected to participate in the targeted review. These districts were chosen based on a schedule that will ensure that all districts and charter schools are targeted during the FFY 2005-2010 original SPP period. A sample of student files was collected from each district representing a variety of disability categories, racial/ethnic groups, grade levels and placements. The revised checklist developed by the National Secondary Transition Technical Assistance Center (NSTTAC) was used to review each student file. Files were determined noncompliant if one or more of the 8 questions on the checklist received a response of “no.”

A report of findings was issued to each district participating in the targeted review. To verify correction of noncompliance, the NJOSEP monitors are determining, through desk audit or onsite visit, that each LEA with a finding of noncompliance:

- is correctly implementing the specific regulatory requirements by reviewing updated data for a period of time, determined based on the level of noncompliance, that demonstrate compliance; and
- has corrected each individual case of noncompliance, unless the child is no longer within the jurisdiction by reviewing a sample of the files found to have noncompliance.

In its FFY 2010 APR, due February 1, 2012, NJOSEP will report on the specific actions used to verify correction of the findings of noncompliance made in FFY 2009 with the requirements of this indicator.

Plan for 2011 and 2012: The collection of data in FFY 2010 will complete the initial collection of data from all districts in the state for this indicator. A new cycle of targeted review will begin in FFY 2011. Each year, a sample of LEAs will be selected for participation, based on graduation and dropout data or through random selection, until all LEAs in the state have participated. The NSTTAC checklist will be used for the review. A report of findings will be issued for each participating LEA and correction of noncompliance will be determined based on the criteria listed above.

Baseline Data for FFY 2009 (2009-2010): 90 percent youth with IEPs aged 16 and above had an IEP that included appropriate measurable postsecondary goals that were annually updated and based upon an age appropriate transition assessment, transition services, including courses of study, that will reasonably enable the student to meet those postsecondary goals, and annual IEP goals related to the student's transition services needs. There was also evidence that the students were invited to the IEP Team meeting where transition services were to be discussed and evidence that, if appropriate, a representative of any participating agency was invited to the IEP Team meeting with the prior consent of the parent or student who has reached the age of majority.

Discussion of Baseline Data: A total of 73 LEAs participated in the targeted review for this indicator. Of those LEAs and charter schools, noncompliance was identified in 13 districts or charter schools. There were a total of 29 students whose IEPs and supporting documentation did not demonstrate compliance. The most common occurrence resulting in a finding of noncompliance (20 IEPs) was the absence or lack

or individualization of transition services in the IEP. 8 students' IEPs were missing postsecondary goals and transition assessments were not completed for 8 students. Documentation and interviews revealed noncompliance with more than one component for some students including noncompliance with other requirements related to this indicator, to be reported in Indicator 15 of the FFY 2010 APR.

Actual Numbers Used in the Calculation: The targeted review included the review of documentation and interview for a total of 289 students, aged 16 and above. Findings of noncompliance were identified for 29 students in 13 districts and charter schools yielding a percentage for Indicator 13 of 90% (260/289 x 100).

FFY	Measurable and Rigorous Target
2010 (2010-2011)	100%
2011 (2011-2012)	100%
2012 (2012-2013)	100%

Correction of Prior Findings:

All findings of noncompliance with Indicator 13, identified in FFY 2007, were reported corrected in the FFY 2008 APR submitted to USOSEP February 1, 2010.

Improvement Activities/Timelines/Resources (FFY 2009 Update):

NOTE: Activities that occurred in 2008-2009 that are ongoing and will be continued through 2012-2013 are represented by the symbol *.**

The following activities are relevant to the indicators linked to transition, specifically Indicators 1, 2, 13, and 14.

Establishment of Adjusted Cohort Graduation Rate: During the transition period, NJOSEP staff will collaborate with staff from Title I and other units responsible for collecting and reporting graduation and dropout data. Meetings will be scheduled to review progress in establishing the adjusted cohort graduation rate according to the new requirements.

Policy/Regulation: NJOSEP has continued to require that transition services be addressed in students' Individualized Education Programs, beginning at age 14. Specifically, N.J.A.C. 6A: 14 requires that beginning with the IEP in place for the school year when the student will turn age 14, or younger if determined appropriate by the IEP team, and updated annually, the IEP must include:

- a statement of the student's strengths, interests, and preferences;
- identification of a course of study and related strategies and/or activities that are consistent with the student's strengths, interests, and preferences and are intended to assist the student in developing or attaining postsecondary goals related to training, education, employment and, if appropriate, independent living;

- as appropriate, a description of the need for consultation from other agencies that provide services to individuals with disabilities including, but not limited to, the Division of Vocational Rehabilitation Services in the Department of Labor; and
 - as appropriate, a statement of any needed interagency linkages and responsibilities.
- (Activity 2008-2009)*****

Self-Assessment/Monitoring: Effective February 2007, NJOSEP realigned its self-assessment/monitoring system to be consistent with the SPP indicators. Districts are selected for monitoring based on federal monitoring priorities – placement in the least restrictive environment and disproportionate representation of specific racial/ethnic groups in special education or through random selection. The new system links compliance, data and programming by requiring districts to review compliance in areas related to SPP indicators and to examine their data compared to state targets. Following the review conducted through self-assessment, districts must identify activities to correct noncompliance and activities for continuous improvement toward state SPP targets.

Monitoring activities in the areas of graduation rate, dropout rate and transition service needs are linked in the self-assessment. Each district identified for self-assessment reviews their graduation and dropout rates against the state annual SPP targets, completes a protocol to identify needs for continuous improvement in transition planning and reviews related compliance requirements. Federal requirements related to SPP Indicators 1 and 2 are reviewed during onsite monitoring visits if a district in the self-assessment cohort did not meet the SPP target for Indicator 1 and/or Indicator 2. Noncompliance with requirements related to SPP Indicators 1, 2, 13 and 14 must be corrected within one year of identification.

(Activity 2008-2009)***

Targeted Technical Assistance for Self-Assessment Districts: NJOSEP's monitoring unit identified districts required to participate in the 2008-2009 self-assessment/monitoring process, whose graduation and/or dropout data were below state targets. NJOSEP monitors and program development staff offered assistance to these districts to review transition requirements and best practices in preparation for their self-assessment and development of improvement plans regarding transition. During this period, NJOSEP conducted individualized technical assistance sessions for twenty-seven district teams including: special education administrators, general education administrators, child study team members, parents, guidance personnel and/or transition coordinators. NJOSEP reviewed districts' IEPs prior to the sessions to develop specific recommendations for improvement. These suggestions were provided to session participants along with discussion and resources intended to clarify regulatory requirements and describe effective practices to enhance transition planning and services. Using the transition sections of the self-assessment and onsite monitoring documents developed by NJOSEP as guides for the discussion, teams learned about student, family and transdisciplinary school involvement in IEP development and transition planning; interagency resources and linkages; and preparation for integrated employment, independent living, and postsecondary education. As a result of the individualized technical assistance sessions, participating districts have an increased understanding of how to develop compliant transition sections of IEPs. **(Activity 2008-2009)*****

Transition to Adult Life Targeted Review Teleconferences: Two teleconferences regarding transition planning were held for districts selected for the 2009-2010 SPP Indicator 13 compliance review. Federal requirements related to Indicators 1, 2, 13, and 14 were reviewed. Resources detailing best practices in transition planning were disseminated and aligned with the elements of the checklist used for New Jersey's Indicator 13 review. The checklist is based on the checklist developed for states by the National Secondary Transition Technical Assistance Center. Districts were provided with a process for self-review to ensure compliance with Indicator 13 and appropriate transition planning for students with disabilities. **(Activity 2009-2010)*****

State Level Capacity Building: NJOSEP, through its “transition-related” initiatives, has emphasized the importance of linking school experiences to post-school education, employment, self-advocacy and independence. The development and implementation of these initiatives are frequently conducted in collaboration with other offices/units within the Department of Education as well as agencies outside of the Department. This focus is reflected in the activities listed below. **(Activity 2009-2010)*****

a. Statewide Technical Assistance and Training: To promote knowledge of effective practices for transition from school to adult life for students with disabilities, NJOSEP organized and provided statewide trainings and provided technical assistance on a proactive and on a request basis. Technical assistance activities were conducted for school districts, other offices within the Department of Education, other agencies, professional organizations, and parent organizations to clarify regulatory requirements and policy, share promising practices and resources, and provide guidance on transition program development and an improvement planning process. **(Activity: 2008-2009)*****

b. Student Leadership “Dare to Dream” Conferences: To promote self-advocacy and self-determination among New Jersey youth with disabilities, NJOSEP organized and conducted five Student Leadership “Dare to Dream” conferences for students with disabilities in the spring of 2008. These conferences were held regionally throughout the state on college campuses. Approximately 1,400 high school students, parents, and school personnel were provided training and guidance in the areas of self-advocacy and legal rights and responsibilities. The conferences featured presentations by youth and young adults with disabilities. **(Activity: 2008-2009)**

Similarly, NJOSEP organized and conducted five Student Leadership “Dare to Dream” conferences for students with disabilities in the spring of 2010. These conferences were held regionally throughout the state on college campuses. More than 1,800 high school students, parents, and school personnel were provided training and guidance in the areas of self-advocacy and legal rights and responsibilities. The conferences featured presentations by youth and young adults with disabilities. **(Activity: 2009-2010)*****

c. Interagency Collaboration - Structured Learning Experience/Career Orientation NJOSEP continued to support implementation of regulations adopted by the New Jersey State Board of Education on March 2, 2005 that established a training requirement enabling certified teachers to serve as coordinators of career awareness, career exploration, and/or career orientation. The regulation also established the requirement for a district to assign an individual to coordinate structured learning and career orientation experiences.

A major benefit of this regulation is the flexibility for districts to assign staff to these positions to increase the local school districts’ capacity to provide appropriate transition services through work-based learning. To support implementation of the structured learning experience requirements, the Office of Vocational-Technical, Career and Innovative Programs, in consultation with NJOSEP, sponsored workshops that: (a) enable appropriate school staff to meet the training requirement; (b) encourage community-based instruction as a means of supporting the education of students with disabilities; and (c) relate opportunities for career awareness, career education, and career orientation to effective transition planning and program development. **(Activity 2008-2009)*****

d. Interagency Collaboration - Community-Based Instruction (CBI): To promote the use of community-based instruction for students with disabilities, including a specific focus for students with significant disabilities, NJOSEP continued a partnership with the Boggs Center, University of Medicine and Dentistry of New Jersey (UMDNJ) to conduct regional trainings and technical assistance for districts statewide that focus on the development and improvement of community-based instruction (CBI).

Administrators' Trainings: Because the knowledge and support of district administration is critical to the development and/or expansion of the practice of CBI, two statewide teleconferences for administrators were held in September and October, 2008. These sessions described quality components of CBI programs for students with disabilities, essential administrative supports to implement CBI, as well as upcoming staff training opportunities. In order for staff to register for CBI trainings, administrators were required to participate in one of these administrative sessions. Participating in these sessions were 159 administrators or their designees, representing 154 secondary programs. **(Activity 2008-2009)*****

Regional Trainings: Beginning in December 2008, one and two-day staff training sessions were conducted regionally on the topics of Managing a Quality CBI Program, CBI for Students with Severe Disabilities, and Preparing Students with Behavioral, Communication and Social Challenges for Employment. The training entitled *Managing a Quality Community-Based Instruction (CBI) Program for Students with Disabilities* provided administrators and program coordinators with key administrative practices to create and expand a quality CBI program. Training topics included identifying program goals, marketing the program to staff, students, families, and other community stakeholders, budget considerations, curriculum design, staff and student scheduling, transportation, risk management, ongoing supervision, and program evaluation. *CBI for Students with Severe Disabilities* provided information on areas of instruction, the relationship between the New Jersey Core Curriculum Content Standards (NJCCCS) and CBI, integrating school-based and community-based instruction, student assessment, support strategies for students with behavioral, physical, or medical challenges as well as planning for program development and implementation. *Preparing Students with Behavioral, Communication and Social Challenges for Employment* focused on how to establish and/or expand a community-based career development program for students with behavioral, communication, or social challenges. Training topics included functional assessment of student abilities, interests and preferences as well as work environments, selection of curriculum and training environments, partnering with community businesses, matching students to jobs and employers, and strategies for teaching communication skills, social skills, and appropriate behavior, including natural supports. **(Activity: 2008-2009)*****

Similar trainings were held during the 2009-2010 school year. A total of 294 educators attended one or more of these training sessions from 83 secondary programs. Additional technical assistance was provided, upon request, to participating programs. **(Activity: 2009-2010)****

e. Interagency Collaboration - Pathways to Adult-Life for Parents: To promote interagency collaboration and support for parents of students with developmental disabilities (ages 14-19), the NJDOE, Office of Special Education Programs, organized and participated in an interagency parent training initiative along with the New Jersey Department of Labor, Division of Vocational Rehabilitation Services; the New Jersey Department of Human Services, Division of Disability Services and the Division of Developmental Disabilities. This training was designed for parents of students with developmental disabilities (ages 14-19) and provided specific information regarding referral, eligibility determination, and the range of service options available through the state agencies. More than 400 parents participated in 12 regional sessions that were held throughout New Jersey. **(Activity: 2008-2009)*****

f. Interagency Collaboration - Councils/Committees: To assist in the service coordination across state departments and agencies, and share the education perspective with others, representatives of the NJDOE, Office of Special Education Programs participated on the following statewide councils and committees:

- New Jersey Department of Labor, Division of Vocational Rehabilitation Services State Rehabilitation Council
- New Jersey Department of Human Services, Commission for the Blind and Visually Impaired State Rehabilitation Council

- New Jersey Department of Community Affairs, Commission on Recreation for People with Disabilities
- New Jersey Supported Employment Interagency Workgroup
- New Jersey State Agency Directors Forum
- New Jersey Department of Human Services, Division of Disability Services Interagency Stakeholder Group on DiscoverAbility
- Governor's Task Force on Adults with Autism

(Activity: 2008-2009)***

g. Interagency Collaboration - Centers for Independent Living - Promoting Self Advocacy: To promote self-advocacy for students and families, NJOSEP continued to support the Centers for Independent Living. NJOSEP entered into an interagency cooperative agreement with the New Jersey Department of Labor, Division of Vocational Rehabilitation Services, enabling each of the twelve Centers for Independent Living in New Jersey to continue implementation of the *Promoting Self-Advocacy* project. This project is focused on the following: 1) increasing the number of students, families, and school personnel that are aware of and use the resources and services of the Centers for Independent Living in New Jersey; 2) increasing students' knowledge of rights, responsibilities and resources; 3) increasing students' use of self-advocacy, self-determination, and self-help skills in their daily lives; and 4) increasing students' participation and decision making in the transition planning process with specific regard to postsecondary resources, services and linkages. Each Center for Independent Living offers self-advocacy, self-determination, and self-help programs and services to students with disabilities, their families and schools using current and effective materials and resources. During the project period ending June 30, 2008, the *Promoting Self-Advocacy* project assisted over 896 students (ages 14-21) in developing and implementing an individualized plan to increase self-advocacy skills in the areas of independent living, community participation, employment, and/or recreation. An additional 1,552 students received information and referral services during this period. During the project period ending September 30, 2009, the *Promoting Self-Advocacy* project assisted over 1,154 students (ages 14-21) in developing and implementing an individualized plan to increase self-advocacy skills in the areas of independent living, community participation, employment, and/or recreation. An additional 4,622 students received information and referral services during this period.

Outcomes from the project include: increased numbers of students and school staff who have become aware of and use the services provided by the Centers for Independent Living; increased collaboration amongst the Centers for Independent Living throughout the State; and increased collaboration with school districts as evidenced by invitations to project staff into their classrooms to provide direct instruction to students with disabilities on their rights, responsibilities and resources.

(Activity: 2006-2007)***

h. Post-School Outcome Technical Assistance: In February 2009, NJOSEP conducted a technical session for the 50 school districts (Cohort III) selected for participation in the post-secondary data collection. Districts were required to identify students with disabilities who have exited during the 2007-08 school year. This includes 2008 graduates, students who will be aging out of school and students who have dropped out, including students who have moved, but not known to be continuing. The districts were required to collect contact information on all exiters and to notify the students and their parents that they will be contacted within a year to determine the student's post-school status. A copy of the survey was disseminated to the school district representatives. Staff from the districts conducted follow-up interviews with former students between April and August, 2009 and forwarded all surveys to NJOSEP. Throughout the year assistance was provided to all districts participating in the study. In addition, individualized technical assistance was provided to selected districts through on-site meetings and progress monitoring to improve response rates. NJOSEP's technical assistance contributed to the 73% response rate for the study. Study results were disseminated to each participating district and used for district and state level improvement planning.

For more detailed information, see APR Indicator #14 Post School Outcomes. **(Activity: 2008-2009)*****

Similarly in April 2010, NJOSEP conducted a technical assistance session for the 75 school districts (Cohort IV) selected for participation in the post-school outcomes data collection. NJOSEP's technical assistance contributed to the 75.6% statewide response rate for cohort IV districts. Study results will be disseminated to each participating district and used for district and state level improvement planning. For more detailed information, see APR Indicator #14 Post School Outcomes. **(Activity: 2009-2010)*****

i. Interagency Collaboration - Statewide Parent Advocacy Network Transition

Teleconferences: To promote understanding of topics related to transition among parents of students with disabilities, NJOSEP collaborated with the Statewide Parent Advocacy Network to organize and provide two statewide teleconferences titled *A Family's Guide to Community-Based Instruction for Students with Disabilities* and *Structured Learning Experiences: A Collaborative Approach Among Educators, Parents, Students and the Workplace.* The presentation on Community-Based Instruction (CBI) included the following topics: definition of CBI, reasons for teaching in the community, support for schools that provide CBI, and family members' role in supporting CBI. 53 parents, school administrators, and educators participated in the CBI teleconference. The presentation on Structured Learning Experiences (SLE) included the following topics: Definition of SLE, Responsibilities of school districts, students, parents, and employers, and Benefits for students who participate in SLE. 39 parents, school administrators, and educators participated in the SLE teleconference. Both presentations are available for download on the web at www.spannj.org/resources/index.htm#Transition. **(Activity: 2008-2009 and 2009-2010)**

j. Interagency Collaboration – The Office of Special Education Programs collaborated with the New Jersey Division of Vocational Rehabilitation Services and developed *Guidelines for School Personnel Working with Transition Students*. In addition, *A Myths & Facts* document was developed on Vocational Rehabilitation Services and disseminated to the districts. **(Activity: 2009-2010)*****

k. Interagency Collaboration – The NJ Division of Developmental Disabilities (DDD) in collaboration with the Office of Special Education Programs and the Family Support Center of New Jersey developed a document titled *Myths & Facts* that provides comprehensible information concerning DDD services for youth in transition and addresses common misconceptions. This resource is also available on the DDD website. **(Activity: 2009-2010)*****

Indicator # 14: Post-Secondary Transition Outcomes**Part B State Performance Plan (SPP) for 2005-2012****New Indicator: FFY 2009****Overview of the State Performance Plan Development:**

Part B Indicator 14 is considered a new indicator this year. The NJOSEP developed (a) a new baseline according to the language of the revised measurement table (May 2010), (b) new measurable and rigorous targets, and (c) improvement activities.

Indicator #14 Post-Secondary Transition Outcomes was discussed at a meeting with the stakeholder group on January 14, 2011. The NJOSEP presented an overview of the new SPP requirements for this indicator, including the new measurements and extended two year timeline (FFY 2011 and FFY 2012) for the collection and reporting of data on student exiters. NJOSEP also presented data from 75 cohort IV districts that had students with disabilities who exited high school by graduating, reached maximum age, dropping out or moved and were not known to be continuing during the 2008-2009 school year. This data was shared with stakeholders in order to establish a new baseline and to set targets and amend improvement activities, as needed. NJOSEP explained to stakeholders that during the two year extension of the SPP, the NJOSEP would collect outcome data from the original cohort I districts in FFY 2011 and the original cohort II districts, using the original federally approved sampling and data collection plan delineated in the SPP, updated in FFY 2006, and posted on the NJOSEP website.

Monitoring Priority: Effective General Supervision Part B / Effective Transition

Indicator 14: Percent of youth who are no longer in secondary school, had IEPs in effect at the time they left school, and were:

- A. Enrolled in higher education within one year of leaving high school.
- B. Enrolled in higher education or competitively employed within one year of leaving high school.
- C. Enrolled in higher education or in some other post-secondary education or training program; or competitively employed or in some other employment within one year of leaving high school.

(20 U.S.C. 1416(a)(3)(B))

Measurement:

A. Percent enrolled in higher education = $\left[\frac{\text{(\# of youth who are no longer in secondary school, had IEPs in effect at the time they left school and were enrolled in higher education within one year of leaving high school)}}{\text{(\# of respondent youth who are no longer in secondary school and had IEPs in effect at the time they left school)}} \right] \text{ times } 100.$

B. Percent enrolled in higher education or competitively employed within one year of leaving high school = $\left[\frac{\text{(\# of youth who are no longer in secondary school, had IEPs in effect at the time they left school and were enrolled in higher education or competitively employed within one year of leaving high school)}}{\text{(\# of respondent youth who are no longer in secondary school and had IEPs in effect at the time they left school)}} \right] \text{ times } 100.$

C. Percent enrolled in higher education, or in some other post-secondary education or training program; or competitively employed or in some other employment = $\left[\frac{\text{(\# of youth who are no longer in secondary school, had IEPs in effect at the time they left school and were enrolled in higher education, or in some other post-secondary education or training program; or competitively employed or in some other employment)}}{\text{(\# of respondent youth who are no longer in secondary school, had IEPs in effect at the time they left school)}} \right] \text{ times } 100.$

school and had IEPs in effect at the time they left school)] times 100.

The calculations and results for the baseline data collection of students with disabilities who exited school during the 2008-2009 school year are as follows:

There were 3090 total respondents.

- 1 = 1381 respondent leavers were enrolled in "higher education".
- 2 = 894 respondent leavers were engaged in "competitive employment" (and not counted in 1 above).
- 3 = 213 of respondent leavers were enrolled in "some other post-secondary education or training" (and not counted in 1 or 2 above).
- 4 = 111 of respondent leavers were engaged in "some other employment" (and not counted in 1, 2, or 3 above).

Thus,

A = 1381 (#1) divided by 3090 (total respondents) = 45%

B = 1381 (#1) + 894 (#2) divided by 3090 (total respondents) = 74%

C = 1381 (#1) + 894 (#2) + 213 (#3) + 111 (#4) divided by 3090 (total respondents) = 84%

Overview of Issue/Description of System or Process:

Definitions

The following definitions for NJOSEP's Part B Indicator 14 are consistent with the definitions developed by the National Post School Outcomes Center (NPSO):

Higher Education means youth have been enrolled on a full- or part-time basis in a community college (2-year program), or college/university (4- or more year program) for at least one complete term, at any time in the year since leaving high school.

Competitive employment means youth have worked for pay at or above the minimum wage in a setting with others who are nondisabled for a period of 20 hours a week for at least 90 days at any time in the year since leaving high school. This includes military employment.

Other postsecondary education or training means youth enrolled on a full- or part-time basis for at least one complete term at any time in the year since leaving high school in an education or training program (e.g., Job Corps, Youth Corps, adult education, workforce development program, or vocational technical school which is less than a 2-year program).

Some Other Employment means youth have worked for pay or been self-employed for a period of at least 90 days at any time in the year since leaving high school. Note: This definition does not specify a minimum number of hours per week or hourly wage.

Respondents are youth or their designated family member who answer the interview questions from New Jersey's Post School Outcome Survey.

Leavers are youth who left school during 2008-2009 school year by graduating with a regular diploma, reaching maximum age, dropping out, or moving and were not known to be continuing.

Sample Selection

Using the NPSO Sampling Calculator, New Jersey established a representative sample of districts for each year for five years, beginning in FFY 2006 to 2010. This sampling plan was approved by OSEP. The Sampling Calculator selected a representative sample of the population of the state at a pre-set confidence interval of plus or minus 3%. The representative sample was based on the categories of

total district enrollment (size), enrollment of students with disabilities, disability categories, race/ethnicity, gender, Abbott/non Abbott designation and drop out as per the federally approved sampling plan delineated in the updated SPP of FFY 2006.

Although states were not required to report Indicator 14 in the February 2010 APR submission (FFY 2008), New Jersey elected to collect and report the post school outcome data for student exiters from cohort 3 districts. In the February 2011 APR submission (FFY 2009), New Jersey will establish baseline data based on data from the districts participating in the cohort 4 data collection. By FFY 2010, all districts in New Jersey will be included in the data collection for this indicator at least once during the SPP cycle of FFY 2005 to 2010.

District personnel conducted phone or in person interviews with former students or their designated family member (i.e., parent or grandparent) using an adaptation of the survey protocol developed by NPSO. Youth were contacted after being out of school for at least one year.

Response Rate and Representativeness

Response Rate Calculation: 75 school districts with high school programs participated as the fourth cohort of districts for the FFY 2009 data collection period. New Jersey collected demographic information on all students with IEPs from cohort 4 districts who exited high school during 2008-2009 (n=4090) by requiring that district personnel to complete Part I of the Post-School Data Collection Protocol based on the protocol developed by NPSO. New Jersey amended Part I of the protocol to include information on placement, structured learning experience and referral to adult services. Using an adaptation of Part II of the NPSO protocol, district staff conducted phone or in-person interviews with student exiters or family members (n=3090) to obtain student outcome information. The total number of student exiters from cohort 4 for 2008-2009 who graduated, reached maximum age, dropped out or moved and were not known to be continuing was 4090; and, the total number of respondents was 3090.

The response rate was $3090/4090 = 75.6\%$. This year's response rate improved by 2.1% over last year's rate (75.6% minus 73.5%) due to districts' repeated and varied efforts to contact former students.

Representativeness: NJOSEP used the NPSO Response Calculator (see Table 1) to calculate representativeness of the respondent group on the characteristics of disability type, ethnicity, gender, separate placement, dropout and Abbott designation in order to determine whether the youth who responded to the interviews were similar to, or different from, the total population of youth with an IEP who exited high school in 2008-2009.

According to the NPSO Response Calculator, negative differences indicate an under-representativeness of the group and positive differences indicate over-representativeness. Any differences between the Respondent Group and the Target Leaver Group of $\pm 3\%$ are considered statistically significant. In the Response Calculator, red is used to indicate a difference exceeding the $\pm 3\%$ interval.

As seen in Table 1, New Jersey was representative for all categories of disability, gender, separate placement, and Abbott status. New Jersey was slightly underrepresented in the categories of minorities and dropout. However, in comparison to last year's results, New Jersey has improved representativeness for both minority students (-6.53% for cohort 3 versus -3.25% for cohort 4) and for dropouts (-4.65% for cohort 3 versus -3.82% for cohort 4). Additionally, last year New Jersey was underrepresented among students in Abbott districts (-4.75%), however, this year respondents are representative of exiters in Abbott districts due to efforts to increase response rates among student exiters from these districts. NJOSEP will continue to seek improvements in representation among minority students and dropouts through strategies described under Improvement Activities.

Table 1 NPSO Response Calculator

NPSO Response Calculator		Representativeness								
	Overall	LD	ED	HR	AO	Female	Minority	GGD	Dropout	Abbott
Target Leaver Totals	4090	2338	361	145	1246	1453	1691	475	474	620
Response Totals	3090	1783	242	111	954	1132	1177	339	240	402
Target Leaver Representation		57.16%	8.83%	3.55%	30.46%	35.53%	41.34%	11.61%	11.59%	15.16%
Respondent Representation		57.70%	7.83%	3.59%	30.87%	36.63%	38.09%	10.97%	7.77%	13.01%
Difference		0.54%	-0.99%	0.05%	0.41%	1.11%	-3.25%	-0.64%	-3.82%	-2.15%

Note: positive difference indicates over-representation, negative difference indicates under-representation. A difference of greater than +/-3% is highlighted in red. We encourage users to also read the Westat/NPSO paper Post-School Outcomes: Response Rates and Non-response Bias, found on the NPSO website at <http://www.pso-center.org/collecting.html>.

Baseline Data for FFY 2009:

As seen in Table 2 below, New Jersey's baseline data for engagement of students with IEPs who exited high school during 2008-2009 was as follows:

45% (n=1381) of students were enrolled in higher education.

29%(n=894) of students were engaged in competitive employment

7% (n=213) were enrolled in other post-secondary education or training

4% (n=111) were enrolled in some other employment

16% (n=491) were not engaged

As seen in Table 2 New Jersey's State Baseline Data for the three SPP measures for Indicator 14 are as follows:

Table 2: New Jersey's State Baseline Data

Measurement	Respondent Leavers
Measurement A:	45% (n=1381) of respondent leavers were enrolled in higher education within one year of leaving high school.
Measurement B:	74% (n=2275) of respondent leavers were enrolled in higher education or competitively employed within one year of leaving high school.
Measurement C:	84% (n=2599) of respondent leavers were enrolled in higher education or some other post-secondary education or training program; or competitively employed or in some other employment within one year of leaving high school.

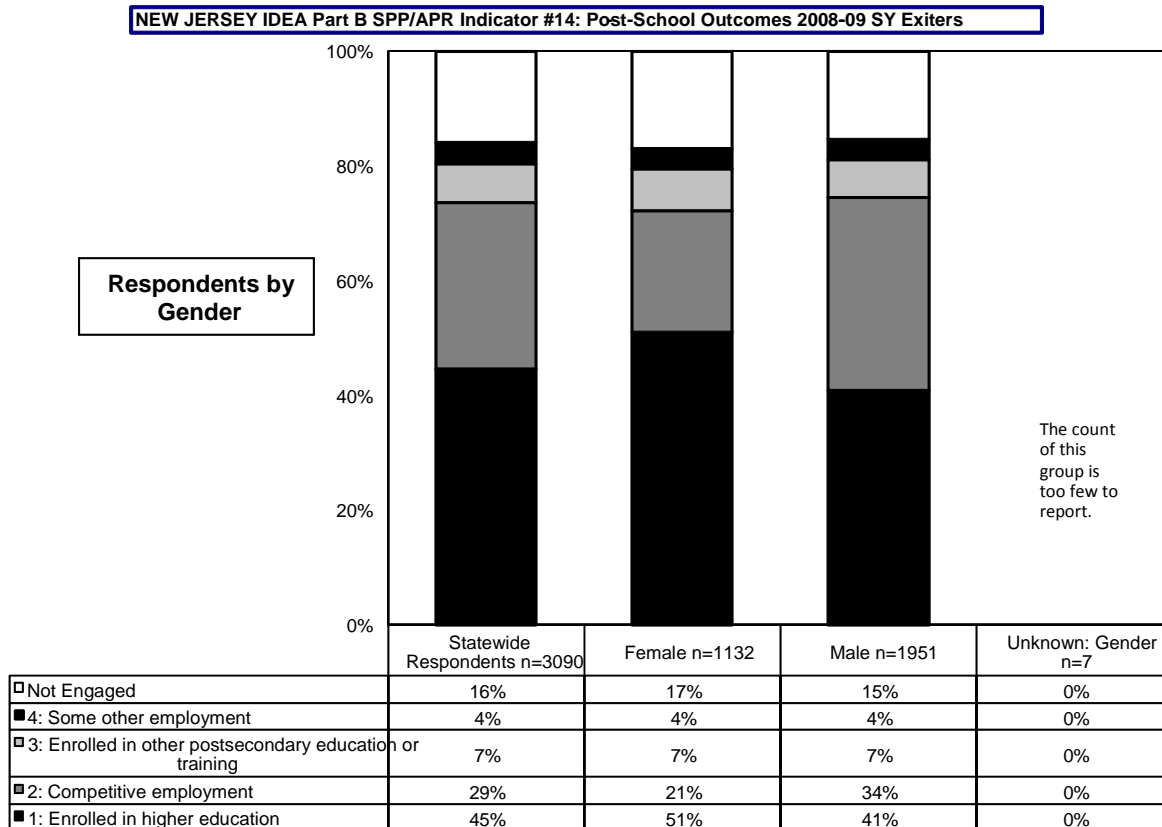
Discussion of Baseline Data:

Baseline data indicated that 84% of respondent leavers were engaged in some type of post-secondary education or employment one year after leaving high school. Furthermore, 45% of respondent leavers were enrolled for at least one full term in college after leaving high school and an additional 29% were competitively employed.

Outcomes by Gender: To better understand student leavers who were not engaged, further analyses were conducted by gender and by disability category. When examining engagement by gender, there were small overall differences between males and females in total rate of engagement. Males had

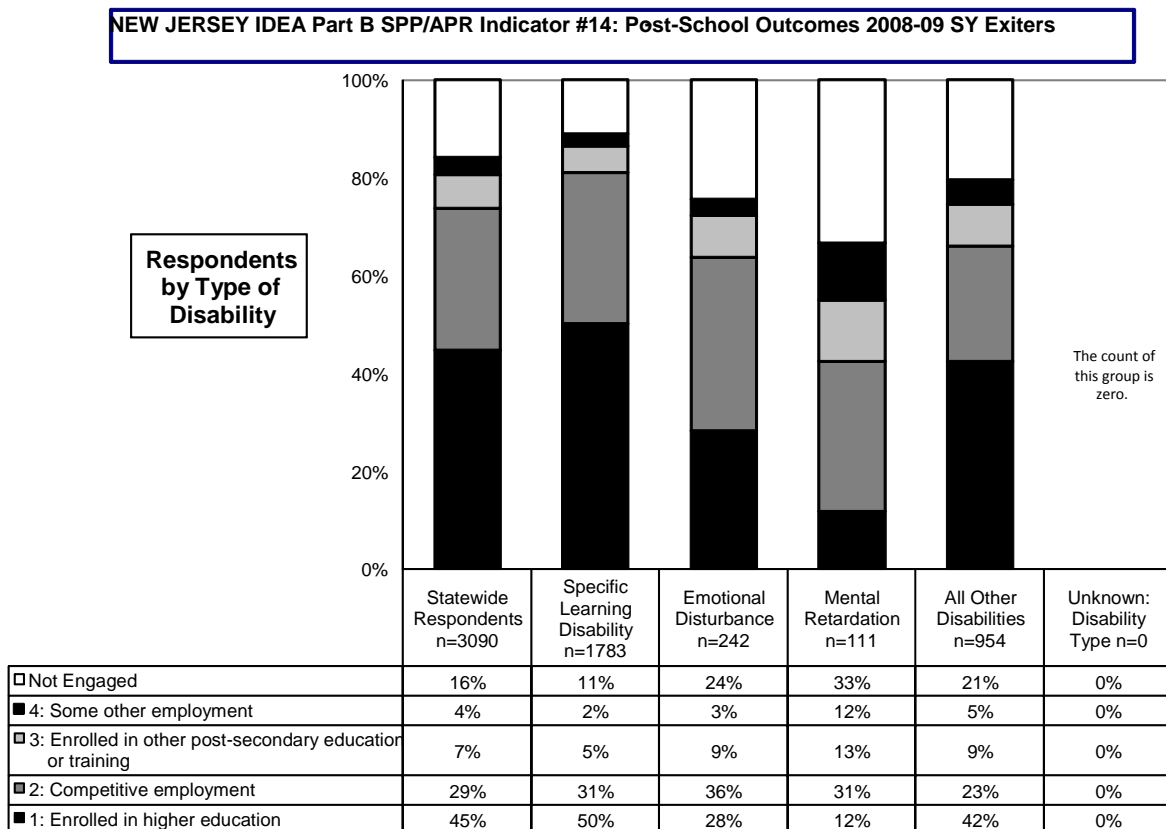
slightly higher rates of engagement, exceeding females by 2%. Female total engagement rates were 83% and male total engagement rates were 85%. When examining engagement in higher education versus competitive employment, some gender differences were noted (See Figure 1 below). Females were more likely to be enrolled in higher education (51% for females versus 41% for males). However, males were more likely to be competitively employed one year after leaving high school (34% for males versus 21% for females).

Figure 1 Post-School Outcomes by Gender



Outcomes by Category of Disability: When examining results by disability category, as seen in Figure 2 below, NJOSEP found that 89% of students with specific learning disabilities were engaged in further education or employment one year after leaving high school. Rates of engagement were lower for students with more significant disabilities: 67% for students with mental retardation, 76% for students with emotional disturbance and 79% for other populations of students with disabilities. Among the latter, 64% of students with multiple disabilities were engaged.

Figure 2 Post-School Outcomes by Disability Category



Based on the post-school outcomes data, we set the following measurable and rigorous targets for measures A, B, & C.

FFY	Table 3: Measurable and Rigorous Targets
2010 (2010-2011)	A = 45% enrolled in higher education B = 74% enrolled in higher education or competitively employed C = 84% enrolled in higher education or in some other postsecondary education or training program; or competitively employed or in some other employment
2011 (2011-2012)	A = 46% enrolled in higher education B = 75% enrolled in higher education or competitively employed C = 86% enrolled in higher education or in some other post-secondary education or training program; or competitively employed or in some other employment
2012	A = 46% enrolled in higher education

(2012-2013)	B = 75% enrolled in higher education or competitively employed C = 86% enrolled in higher education or in some other post-secondary education or training program; or competitively employed or in some other employment
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Improvement Activities/Timelines/Resources: Improvements to Data Collection

NOTE: Activities that will be continued through 2012-2013 are represented by the symbol *.**

Response Rates: Although New Jersey's response rate was 75.6% for the new baseline year, youth in the categories of minorities and dropouts continue to be underrepresented. While progress has been made this past year in increasing representation in both categories, New Jersey will continue efforts to increase representation from these subgroups by providing targeted technical assistance to districts identified through analysis of district data with large minority populations and dropouts before and during data collection. NJOSEP will be available to provide on-site training to district staff who will interview students within targeted districts. Strategies regarding when to call, introductions and rapport building, as well as how to ask and record responses to questions will be covered. Additionally, periodic monitoring of district progress will be conducted by the NJOSEP staff to ensure that all efforts to contact student exiters are being made within these districts. **(Activity 2006-2007)*****

Meetings with District Staff Prior to Data Collection: For each cohort of districts, New Jersey will meet twice with district administrative staff and transition coordinators who will be responsible for collecting data on student exiters. The first meeting will be held in mid-winter (February) of each year, prior to notifying graduating students. The purpose of the meeting will be to introduce the post-secondary transition outcomes study, the data collection process and district responsibilities. Districts will be informed that they must inform students prior to graduation about the transition study, encourage their participation and collect follow-up contact information for each student. A second meeting will be held with district staff the following February to prepare district staff to collect student demographic information on all students and to conduct the follow-up survey of student outcomes. Emphasis will be placed on strategies for acquiring a high response rate and submission of complete surveys to ensure valid and reliable data for all students. A particular focus will be placed on increasing response rates for dropouts and minority students through strategies such as repeated contact attempts and increasing the type of contact information collected (cell phone numbers, email addresses, existing family members currently in school, friends, facebook). Data collection on exiters will be conducted from June through the end of September each year. **(Activity 2006-2007)*****

Incentives: New Jersey will continue to employ an incentive system for response rates. Districts will be reimbursed for the costs of conducting this study, including a supplemental award depending upon response rates. Districts will complete a contract detailing their responsibilities for conducting the study, the number of verified exiters and compensation to be provided based on completed, returned surveys. **(Activity 2006-2007)*****

Monitoring/Technical Assistance: Ongoing communication will occur between district staff and the NOSEP staff during the course of data collection. The NJOSEP staff will monitor surveys returned and follow up with individual districts to ensure completeness of data. The NJOSEP staff will be available to respond to district questions and to provide support and suggestions. **(Activity 2006-2007)*****

Post School Outcome Study Protocol: The post-school outcome study protocol will be reviewed to determine the need for revision. Revision will be based on the need for further clarity and/or additional information to inform outcomes and program improvement. **(Activity 2006-2007)*****

Assistance from NPSO and NERRC: NJOSEP will continue to seek assistance from the NPSO and the NERRC in coming years. The technical assistance provided through phone, web conferences and on-site meetings has been and will continue to be a valuable source of support for this work. The data collection, analysis and reporting tools developed by NPSO will continue to be used by NJOSEP. **(Activity 2006-2007)*****

Improvements to Data Analysis

Trend data analysis on outcomes will be conducted on subsequent cohorts to inform targets and improvement activities. As part of this analysis, subgroup analyses will be conducted to inform improvement activities, as appropriate. **(Activity 2006-2007)*****

Application of Data from the Post School Outcomes Study

The data from the post school outcomes study will be used in a number of ways to improve programs and services for students, including the following activities:

Follow-up Technical Assistance for Participating Districts:

A follow-up meeting will be held each year with each cohort of districts who participated in the post school outcomes study. At that meeting statewide findings will be discussed and individual district results will be presented and reviewed. NJOSEP staff will facilitate a structured review of district results and improvement planning strategies. Follow-up technical assistance will be provided for individual districts based on their data. **(Activity 2007-2008)*****

Self Assessment/Monitoring/Technical Assistance: Data from the post-school outcome study will be used to inform the special education monitoring and targeted review process. As districts are selected for monitoring, information on exiters will be used in conjunction with other data (e.g. dropout rates, graduation rates, age 16 statements, linkages to other agencies) to determine areas of need as well as strategies to direct training or technical assistance. **(Activity 2007-2008)*****

Program Improvement Activities:

Showcasing Practices: Data will be used to identify districts that had positive survey results. These districts will be contacted to delineate practices that are contributing to these outcomes. Practices employed by these districts will be disseminated through OSEP's transition training and technical assistance activities and through OSEP's website. **(Activity 2007-2008)*****

Engagement of Students With Significant Disabilities: To increase the engagement of students with significant disabilities in employment and/or further education, NJOSEP will analyze individual district data by engagement rates for districts with large populations of students with significant disabilities. Individual technical assistance will be provided to collaboratively examine transition planning efforts, including development of post school goals, employment of strategies related to goals, connections to post secondary resources and involvement of students with disabilities in community based instruction, as appropriate, as part of their high school experience. **(Activity: 2010-2011)*****

Improvement Activities listed in Indicators 1, 2 and 13 are also designed to improve performance on Indicator 14 and positive outcomes for students after graduation. (Activity 2010-2011)***

Indicator # 15: Identification and Correction of Noncompliance

Part B State Performance Plan (SPP) for 2005-2012

Overview of the State Performance Plan Development:

Indicator #15, Identification and Correction of Noncompliance, was discussed at the first stakeholder meeting held on October 21, 2005. NJOSEP staff presented an overview and explanation of the indicator. The presentation included information on the State's procedures related to the compliance monitoring process – both present and future. Data on the current status of districts monitored from 1999-2005 were presented using the categories described below. Sanctions were also described. Details of the proposed monitoring process were presented along with a comparison of the present and future systems.

Additionally, the stakeholders were provided information on the State's procedures related to tracking noncompliance that is identified through complaint investigation. Current data from the 2004-2005 school year were presented to show the number of findings of noncompliance and the number and percentages of corrections completed within one year from identification.

Stakeholder Input: Feedback was favorable from the stakeholders. They responded well to the focus of the system which is on the federal monitoring priority areas. Since the target for Indicator 15 must be 100% there was little discussion regarding the target.

Stakeholder Meeting January 14, 2011: At a stakeholder meeting held on January 14, 2011, NJOSEP staff informed stakeholders that the targets for the two-year extension of the SPP period will be 100% in accordance with federal requirements. Improvement activities were also discussed.

Monitoring Priority: Effective General Supervision Part B/General Supervision

Indicator # 15: General supervision system (including monitoring, complaints, hearings, etc.) identifies and corrects noncompliance as soon as possible but in no case later than one year from identification.

Measurement:

A. Percent of noncompliance related to monitoring priority areas and indicators corrected within one year of identification:

- a. # of findings of noncompliance made related to monitoring priority areas and indicators.
- b. # of corrections completed as soon as possible but in no case later than one year from identification.

Percent = b divided by a times 100.

For any noncompliance not corrected within one year of identification, describe what actions, including technical assistance and/or enforcement that the State has taken.

B. Percent of noncompliance related to areas not included in the above monitoring priority areas and indicators corrected within one year of identification:

- a. # of findings of noncompliance made related to such areas.
- b. # of corrections completed as soon as possible but in not case later than one year from identification.

Percent = b divided by a times 100.

For any noncompliance not corrected within one year of identification, describe what actions, including technical assistance and/or enforcement that the State has taken.

C. Percent of noncompliance identified through other mechanisms (complaints, due process hearings, mediations, etc.) corrected within one year of identification:

- a. # of agencies in which noncompliance was identified through other mechanisms
- b. # of findings of noncompliance made
- c. # of corrections completed as soon as possible, but in no case later than one year from identification.
- Percent = c divided by b times 100

Overview of Issue/Description of System or Process:**Indicators 15 A. and B.****Noncompliance identified through monitoring process****Monitoring Process: 1999-2006**

The NJDOE monitoring process includes self-assessment by each district and charter school, the development of a district-wide improvement plan to address areas of non-compliance, on-site monitoring by a team from the Office of Special Education Programs, revision of the improvement plan, if necessary, for any area of non-compliance and verification of implementation of the improvement plan by the County Office of Education.

- **Self-Assessment and Improvement Plan Development**

Each year of the six-year monitoring cycle, a selection of districts and charter schools participated in self-assessment and improvement plan development. The process required districts to identify areas of need regarding federal and state special education regulations, barriers to compliance that exist in the district and activities with timelines to eliminate the barriers and achieve compliance. Stakeholders, including parents and community members were required participants in the self-assessment process at the district level. Districts and charter schools were given one year to complete the self-assessment and develop an improvement plan which was to be approved by the district or charter school board of education prior to submission to the NJOSEP. The districts were provided with IDEA-B funds to support self-assessment activities.

In the year following self-assessment, districts receive an onsite monitoring visit to verify findings in the self assessment. Improvement plans are reviewed and reports are generated and disseminated outlining the final findings and results of the improvement plan review. Reports are posted on the NJDOE web site and districts are required to read the summary page of the report at a board of education meeting.

- **Process for Selecting LEAs for Monitoring**

Districts were selected for monitoring for each year of the six year cycle based on size and geographic region and prioritized according to information from complaint investigations, due process hearings and placement data that indicated pervasive problems. Districts with the most significant compliance and placement issues were scheduled for the first year of the monitoring cycle. All districts and charter schools received training in the process prior to their self-assessment year.

- **Technical Assistance and Training**

During the year in which a district or charter school was conducting self-assessment, technical assistance and training were provided by the Bureau of Program Accountability and the Bureau of Program Development. Targeted training addressed educating students in the least restrictive environment and transition to adult life, areas where patterns of noncompliance had been identified. Additionally, each district participates in training by the monitors to assist them in identifying areas of need, identifying barriers to correction, and developing improvement plan activities to remove barriers and achieve compliance. Each district had the opportunity to meet with the monitoring team leader to discuss any questions the district might have regarding the process. Monitoring team leaders were available through

phone consultation throughout the self-assessment and improvement plan development process. The final group of districts and charter schools completed their self-assessments and improvement plans during the 2004-2005 school year.

Technical assistance and training, including small group or individualized meetings, are available to receiving schools through the County Offices of Education. Staff in the Bureau of Program Review and Approval also provides technical assistance upon request.

- **Parent Involvement**

As part of the self-assessment process, each district was required to hold a stakeholder meeting and gather information from parents regarding their perceptions of the delivery of special education and related services in the district. Prior to the monitoring visit, a meeting was conducted by the monitoring team with parents in the district to gather additional input. Parents are also surveyed by phone. Parent input is included in each monitoring report in the summary page which is read at a board of education meeting.

- **Data Collection**

NJOSEP collects and maintains data on each district and charter school in order to track statewide patterns of noncompliance and ensure that all districts and charters are monitored during the six year cycle. The results of verification activities are also tracked to ensure timely correction and identify districts where sanctions are warranted.

- **Sanctions**

The NJOSEP instituted a categorical system during FFY 2005 to monitor correction of noncompliance and establish criteria for sanctions. If a district demonstrates pervasive and persistent noncompliance, and is unwilling or unable to achieve correction, the district is categorized as high risk. At a minimum the district receives monthly visits by a monitoring team. Based on results of a statewide verification process that occurred in the spring and summer of 2004, updated correction action plans were developed in the fall of 2004 for districts that are high risk or districts that are potentially high risk. Expedited timelines were defined also. The monitors provide technical assistance, conduct co-training with district staff, provide resource materials and conduct verification activities once technical assistance or training has occurred. Districts that continue to have problems with correction meet with the director, Office of Special Education Programs and the county superintendent and ultimately, funds are directed or withheld.

Baseline Data for FFY 2004 (2004-2005): Monitoring

The attached chart (Attachment 1) lists the number of findings in the monitoring priority areas and the percent of findings of noncompliance corrected within one year. The calculations are as follows:

- A. Percent of noncompliance related to monitoring priority areas and indicators corrected within one year of identification
 - a. # of findings of noncompliance related to monitoring priority areas and indicators: 154
 - b. # of corrections completed within one year: 83
$$\text{Percent} = 83/154 \times 100 = 54.0\%$$
- B. Percent of noncompliance related to areas not included in the above monitoring priority areas and indicators corrected within one year of identification:
 - a. # of findings of noncompliance made related to such areas: 196
 - b. # of corrections completed as soon as possible but in no case later than one year from identification 87
$$\text{Percent} = 87/198 \times 100 = 44.4\%$$

Discussion of Baseline Data:

During the 2003-2004 school year, 109 districts were monitored. These districts completed a self-assessment during the 2002-2003 school year. Baseline data reflect findings in 77 districts since the remaining districts monitored have had less than 1 year to correct noncompliance from the point of identification.

For any noncompliance not corrected within one year of identification, describe what actions, including technical assistance and/or enforcement that the State has taken - Monitoring

In order to expedite correction of noncompliance, NJOSEP continues to implement a categorical system tied to specific sanctions for delays in implementation of improvement plans. This system has been utilized to report to the USDOE on all districts monitored during this cycle.

When pervasive and persistent noncompliance has been identified as part of the self-assessment or through onsite monitoring, and the district or charter was unable or unwilling to correct the noncompliance in a timely fashion, the district has been identified as high risk. Sanctions have been imposed including monthly visits by a monitoring team charged with overseeing the implementation of activities to achieve compliance. When a district has failed to achieve compliance, additional sanctions were imposed including a meeting with the County Superintendent, Director, Office of Special Education Programs and Assistant Commissioner and/or the direction or withholding of federal and/or state funds.

Districts categorized as high risk received extensive technical assistance from both the Bureau of Program Accountability and the Bureau of Program Development related to procedures for implementing and ensuring continued compliance with IDEA focusing on areas that have been identified by the USOSEP as monitoring priority areas. During FFY 2004, a monitoring team identified areas that continued to be noncompliant and worked with each high risk district to develop activities designed to correct noncompliance, and expedited timelines for completion of the activities and verification of implementation. Activities included technical assistance and co-training with district staff, revision of procedures for oversight within districts, dissemination of resources that were found to be effective in other districts in the state, re-allocation of district staff, and changes in administrative structure. Procedures were put in place for the monitoring team for each high risk district to review results of complaint investigations conducted in the district and include systemic findings in the district's improvement plan

Note: The attachments described below include the number of agencies monitored related to the monitoring priority areas and indicators, and the number of agencies monitored related to areas not included in monitoring priority areas and indicators.

A. Monitoring Findings Related to Priority Areas:

See Attachment 1 – Table for Indicator 15 A

Baseline data reflect monitoring of compliance issues related to the priority areas as designated in the related requirements document developed by the USDOE.

Note 1: Although a new monitoring system will be implemented, and categorization of monitoring findings will change to better reflect monitoring priorities, the system will continue to track the factors presented in the baseline data.

B. Monitoring Findings Not Related to Priority Areas:

See Attachment 1 – Table for Indicator 15 B

Although baseline data is included in the attachment for these findings, the new monitoring system may not include all of the areas included. The APR for 2005 will clearly define the indicators in this category.

Indicator 15 C.

Noncompliance Identified through other mechanisms (complaints, due process, hearings, mediations, etc.)

Mediation/Due Process

The New Jersey Office of Special Education Programs (NJOSPEP) identifies noncompliance with respect to mediation and due process hearings in two ways. Whenever a pattern (number of mediations or due process hearings related to a particular issue in a district) is discerned, the information is conveyed to the regional monitoring team for review of policies and procedures that may affect the number of requests in a district for mediation or due process hearings.

In addition, NJOSPEP enforces the district's compliance with mediation agreements and due process hearing decisions. Parents may request enforcement of a state mediated agreement or a decision of an administrative law judge (ALJ) by writing to the NJOSPEP when the parent believes the district has failed to implement the agreement or decision as written. For agreements, a mediator will be assigned to enforce the agreement. For decisions of an ALJ, a complaint investigator will be assigned to enforce the decision. In each instance the district is required to submit documentation of compliance with the agreement or decision.

Should a district fail to correct the noncompliance after enforcement activities have been conducted, the matter is referred to the Office of the Attorney General for further action. If the district will not comply at this point, the Office of the Attorney General will initiate procedures for a show cause order. A hearing will be conducted in a state court of appropriate jurisdiction.

Baseline Data:

Mediation Enforcement Data

For the 2003-04 school year, there were seven requests for enforcement of mediation agreements. Data show that three were enforced within the required timeline. The data for the remaining four are incomplete and although the cases are closed, it is not possible to determine whether the noncompliance was corrected within the required timeline. Improvements in the data collection are needed to ensure correction of noncompliance within one year of identification.

Due Process Enforcement Data

For the 2003-04 school year, there were 10 requests for enforcement of ALJ decisions. Two requests were not enforced (one was withdrawn; the other was already being enforced through civil action of the petitioner). There were eight enforcements conducted among seven school districts. Of the eight enforcements, six cases of noncompliance were corrected within one year of identification. In the remaining two cases, there were findings of noncompliance. In one district the noncompliance was not corrected within the one year timeline. The remaining case was forwarded to the Office of the Attorney General and is currently being addressed through the courts.

a = 7 agencies where noncompliance was identified

b = 8 cases of noncompliance

c = 6 cases of noncompliance corrected within one year of identification

$6/8 = 75\%$ of enforcement of noncompliance in due process cases was corrected within one year of identification

Discussion of the Baseline Data

To determine the 2004-05 baseline of the percentage of noncompliance related to the enforcement of due process cases that was corrected within one year from identification, NJOSEP collected the number of enforcement cases with findings of noncompliance for the 2003-04 school year. (The 2003-04 school year begins July 1, 2003 and ends June 30, 2004.) NJOSEP then identified the date each district was notified of the request for enforcement. NJOSEP calculated the number of days from the date the district was notified to the date the noncompliance was corrected. The percentage was derived by dividing the number of cases closed within one year by the total number of cases.

At present the database is not capable of tracking correction of noncompliance by finding. Rather, the system can only track correction of noncompliance by case. In cases where more than one finding of noncompliance is identified, all findings of noncompliance must be corrected before the database will report that noncompliance has been corrected.

Improvements are needed with respect to the collection and reporting of enforcement data regarding mediation agreements. Such improvements are currently being developed and implemented for the enforcements conducted during the 2004-05 and 2005-06 school years.

Complaints

Upon completion of a complaint investigation report, the investigator enters data into the complaint database as to whether the district was determined compliant or noncompliant for each allegation. The NJOSEP has identified 41 different elements related to compliance indicators that are also tracked through the monitoring process. The "common" elements are included within broader topical areas as follows:

- Procedural Safeguards (Notice, Consent, and Independent Educational Evaluations),
- Referral/Identification
- Evaluation/Reevaluation
- Eligibility
- IEP (Development and Implementation)
- Parent Participation
- Placement (LRE, Full Continuum)
- Provision of Related Services
- Extended School Year Services
- Participation in Statewide Assessment
- Student Records
- Transition (Part C to B, Secondary)
- Discipline

In addition to the three full-time complaint investigators, the NJOSEP employs two part-time individuals (one full-time equivalent) to oversee the correction of noncompliance that has been identified through complaint investigation.

These individuals work closely with the regional monitoring teams to share information regarding the identification of noncompliance through complaints and to coordinate corrective actions. The monitoring unit (Bureau of Program Accountability) is notified of districts where repeated noncompliance has been identified in a particular district. Repeated identification of noncompliance of a monitoring priority within a district would trigger joint action that includes conducting onsite reviews and coordinating the implementation of corrective actions. The inability of districts to correct the noncompliance would place a district at risk and may ultimately result in a designation of high risk. When noncompliance is identified in high risk districts, the monitoring unit is notified. Corrective actions that are related to the provision of services to a particular child or group of children are overseen by the complaint investigation unit; while noncompliance regarding systemic and procedural issues is overseen by the monitoring unit.

Baseline Data for FFY 2004 (2004-2005): Complaint Investigation

a = **98 education agencies** in which noncompliance was identified through complaint investigation

b = **160 cases with findings** of noncompliance

c = **111 cases** with findings of noncompliance **corrected within one year** of identification

$111/160 = 69\%$ of cases of noncompliance **corrected within one year** of identification

For the 2003-04 school year, 365 findings of noncompliance were identified. Each finding was identified according to the common elements. In the priority areas, the following were identified:

TOPIC	#OF FINDINGS	PERCENT OF FINDINGS
Parent Participation	4	1%
Placement in the LRE	5	1.4%
Transition from EIP	4	1.1%
Transition to Post-Secondary	3	.8%
Graduation	0	0%
Statewide Assessment	3	.8%
Discipline	27	7.4%
Implementation of IEP	58	15.9%
Provision of Related Services	42	11.5%

Discussion of Baseline Data:

To determine the 2004-05 baseline of the percentage of noncompliance that was corrected within one year from identification, NJOSEP collected the number of cases with findings of noncompliance for the 2003-04 school year. (The 2003-04 school year begins July 1, 2003 and ends June 30, 2004.) NJOSEP then identified the date each report was approved and the date the corrective action plan (CAP) was "closed" for correcting the noncompliance. NJOSEP calculated the number of days from the date the report was approved to the date the noncompliance was corrected. The percentage was derived by dividing the number of CAPs closed within one year by the total number of CAPs. Additionally, the number of education agencies with findings of noncompliance was identified. Finally, the findings of noncompliance were identified by topic for analysis.

At present the database is not capable of tracking correction of noncompliance by finding. Rather, the system can only track correction of noncompliance by case. In cases where more than one finding of noncompliance is identified, all findings of noncompliance must be corrected before the database will report that noncompliance has been corrected. Therefore, it may appear that there are many more instances of noncompliance than correction.

With respect to the open CAPs, the NJOSEP has determined that six districts have four or more open CAPs and account for 21% of open CAPs. While continuing to work towards correcting 100% of identified noncompliance within one year of identification, NJOSEP will continue to work on closing all outstanding CAPs as quickly as possible. NJOSEP will target those districts with four or more open CAPs for immediate intervention.

With respect to the priority areas that were identified as being noncompliant, Parent Participation, Placement in the LRE, Transition from EIP and to Post-Secondary, Statewide Assessment and Graduation account for just 5.1% of all findings of noncompliance identified through complaints. The

NJOSEP will continue to work with districts to assure that districts follow all appropriate procedures with respect to these issues.

With respect to the monitoring priority of Discipline, the NJOSEP believes the noncompliance is related to a lack of understanding of the appropriate procedures that districts must implement. NJOSEP has developed materials and provided technical assistance to districts whose policies and procedures were noncompliant and will continue to monitor this area of noncompliance for improvement.

With respect to the non-priority monitoring area of Provision of Related Services, the NJOSEP believes a shortage of staff, including speech-language specialists and school counselors, is contributing to the number of findings in this area. With respect to the shortage of speech-language specialists, NJOSEP amended its regulations in the 2003-04 school year to permit districts to contract for the services of fully certified speech personnel. A decrease in the number of complaints related to the provision of speech-language services is expected. The NJOSEP will continue to monitor this area of noncompliance.

With respect to the non-priority monitoring area of Implementation of the IEP, the NJOSEP will continue to monitor this area to identify barriers which are contributing to the noncompliance.

For any noncompliance not corrected within one year of identification, describe what actions, including technical assistance and/or enforcement that the State has taken - Complaint

When a district fails to complete corrective actions in a timely manner, the department has depending on the circumstances, provided technical assistance, notified the district board of education of the district's failure to complete the corrective action in a timely manner and arranged for a meeting with the district superintendent and president of the board of education to review and summarize the outstanding corrective actions. In the event this is not sufficient to correct the noncompliance, the department will initiate the process to withhold approval of the district's IDEA grant or delay payment of the funds until the noncompliance is corrected. In the case of a charter school, the same procedures with respect to technical assistance and interaction with the director and board of directors are in place. However, the department has the authority to place the charter school on probation and if necessary, revoke the school's charter. At present, meetings with three district superintendents and board presidents have occurred; one district has been advised that IDEA funding may be withheld and one charter school is on probation. At present, each education agency is making progress towards the completion of the corrective actions. These same procedures would be utilized to ensure that corrective action is completed within one year of identification.

FFY	Measurable and Rigorous Target
2005 (2005-2006)	A. 100% of noncompliance related to monitoring priority areas and indicators will be corrected within one year of identification. B. 100% of noncompliance related to areas not included in the USOSEP monitoring priority areas and indicators will be corrected within one year of identification. C. 100% of noncompliance identified through complaint investigation, mediation and due process hearings will be corrected within one year of identification.
2006 (2006-2007)	A. 100% of noncompliance related to monitoring priority areas and indicators will be corrected within one year of identification. B. 100% of noncompliance related to areas not included in the USOSEP monitoring priority areas and indicators will be corrected within one year of identification.

	C. 100% of noncompliance identified through complaint investigation, mediation and due process hearings will be corrected within one year of identification.
2007 (2007-2008)	<p>A. 100% of noncompliance related to monitoring priority areas and indicators will be corrected within one year of identification.</p> <p>B. 100% of noncompliance related to areas not included in the USOSEP monitoring priority areas and indicators will be corrected within one year of identification.</p> <p>C. 100% of noncompliance identified through complaint investigation, mediation and due process hearings will be corrected within one year of identification.</p>
2008 (2008-2009)	<p>A. 100% of noncompliance related to monitoring priority areas and indicators will be corrected within one year of identification.</p> <p>B. 100% of noncompliance related to areas not included in the USOSEP monitoring priority areas and indicators will be corrected within one year of identification.</p> <p>C. 100% of noncompliance identified through complaint investigation, mediation and due process hearings will be corrected within one year of identification.</p>
2009 (2009-2010)	<p>A. 100% of noncompliance related to monitoring priority areas and indicators will be corrected within one year of identification.</p> <p>B. 100% of noncompliance related to areas not included in the USOSEP monitoring priority areas and indicators will be corrected within one year of identification.</p> <p>C. 100% of noncompliance identified through complaint investigation, mediation and due process hearings will be corrected within one year of identification.</p>
2010 (2010-2011)	<p>A. 100% of noncompliance related to monitoring priority areas and indicators will be corrected within one year of identification.</p> <p>B. 100% of noncompliance related to areas not included in the USOSEP monitoring priority areas and indicators will be corrected within one year of identification.</p> <p>C. 100% of noncompliance identified through complaint investigation, mediation and due process hearings will be corrected within one year of identification.</p>
2011 (2011-2012)	100% of identified noncompliance (including monitoring, complaints, hearings, etc.) will be corrected as soon as possible but in no case later than one year from identification.

2012 (2012-2013)	100% of identified noncompliance (including monitoring, complaints, hearings, etc.) will be corrected as soon as possible but in no case later than one year from identification.
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Improvement Activities/Timelines/Resources:**I. Implementation of New Monitoring System:**

A new monitoring system will be implemented during the 2006-2007 school year. The system will include self-assessment, development of improvement plans, onsite monitoring visits, public reporting of findings and focused monitoring. The goal of the new system is to focus improvement activities on requirements that facilitate positive outcomes in the areas of placement in the least restrictive environment, access to the general education curriculum, equitable identification of students with disabilities, graduation, and statewide assessment. The system will also include strategies to expedite the identification and correction of noncompliance. Districts will be required to establish timelines for the timely correction of noncompliance. The new monitoring system will enable NJOSEP to track all monitoring findings by individual compliance issue.

Focused monitoring will be implemented to provide those districts with the most significant problems assistance in identifying barriers and activities to expand placement options and achieve equitable identification of students with disabilities. The Bureau of Program Development and Bureau of Program Accountability will collaborate with a group of districts, selected based on specific data-based criteria, to conduct an in-depth review in the areas of placement in the least restrictive environment and overrepresentation of minority students in special education. Parents will participate on the focused monitoring teams. **(Activity: 2005-2006 through 2010-2011)**

II. Complaint Investigation and Mediation/Due Process Enforcement Policy and Procedures

- a. Establish timelines for CAP activities to ensure that correction of noncompliance identified through complaint investigation is completed within one year of identification. **(Activity: 2005-2006 through 2010-2011)**
- b. Establish timelines for enforcement activities to ensure that correction of noncompliance identified through enforcement activities is completed within one year of identification. **(Activity: 2005-2006 through 2010-2011)**
- c. Identify districts with repeated findings of noncompliance and continue to coordinate with monitoring unit. **(Activity: 2005-2006 through 2010-2011)**

III. Data Collection and Analysis

- a. Track CAPs to ensure compliance with the one year timeline. **(Activity: 2005-2006 through 2010-2011)**
- b. Explore feasibility of modifying the complaint, mediation and due process hearing databases in an effort to track correction of noncompliance by finding. **(Activity 2005-2006)**

IV. Training/Technical Assistance

- a. Identify priority/topical areas that indicate a need for training/technical assistance in an effort to eliminate/reduce the complaints in a particular issue. **(Activity: 2005-2006 through 2010-2011)**

- V. **Future Planning Activities:** NJOSEP will reconvene the stakeholder group in April/May 2006 to:
(a) review the most recent data; (b) discuss the status of current activities, and determine if additional strategies should be considered to reach the targets set in the 2005 State Performance Plan.
(Activity: 2005-2006)

*Attachment 1**Table for #15A – Baseline Data 2004-2005*

Monitoring Priority Indicators		Related Requirements	Number within one year of approved improvement plan*	Number of Findings a.	Number Corrected within 1 year b.	Percent of Findings Corrected within 1 year*
#	Indicator					
1.	Percent of youth with IEPs graduating from high school with a regular diploma.	Transition	71	37	20	54.1
2.	Percent of youth with IEPs dropping out of high school.					
3.	Participation and performance of children with disabilities on statewide assessments.	Participation Documented in IEP	71	15	8	53.3
4.	Rates of suspension and expulsion	Discipline Procedures	71	45	24	53.3
5.	Percent of children with IEPs aged 6 through 21 and preschoolers-educational placements.	LRE Decision making and Continuum of Placements	71	57	31	54.4
6.						
8.	Percent of parents with a child receiving special education services who report that schools facilitated parent involvement. NEW INDICATOR NO DATA 2004-2005					
9 & 10 .	Percent of districts with disproportionate representation of racial and ethnic groups in special education. NEW INDICATOR NO DATA 2004-2005					
12 .	Percent of children referred by Part C prior to age 3 who have an IEP developed and implemented by their third birthday.					

Monitoring Priority Indicators		Related Requirements	Number within one year of approved improvement plan*	Number of Findings a.	Number Corrected within 1 year b.	Percent of Findings Corrected within 1 year*
#	Indicator					
13	Percent of youth aged 16 and above with IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable student to meet the post-secondary goals. NEW INDICATOR – NO DATA FOR 2004-2005					
	TOTALS	109	71	154	83	54.0

*Districts that are within one year of approval of their improvement plan are excluded from the calculation.

Table for #15B

Related Monitoring Priority Indicators	Number of LEAs with Findings* a.	Number Corrected within 1 year b.	Percent of Findings Corrected within 1 year*
Parent Involvement <ul style="list-style-type: none"> • Notice of Meeting • Written Notice 	37	21	56.8
IEP <ul style="list-style-type: none"> ▪ Meeting participants ▪ Required considerations and statements (ESERS / ESLS) ▪ Copy of IEP to parents prior to implementation ▪ Implementation dates ▪ Annual Reviews ▪ By June 30 ▪ Knowledge/access to IEPs 	51	24	47.1
Location, Referral and Identification <ul style="list-style-type: none"> ▪ Child Find 3-21 ▪ Referral Process ▪ Pre-referral Interventions ▪ Direct Referrals ▪ Health Summary ▪ Vision and Hearing Screenings ▪ ID meetings-Timelines/participants 	16	10	62.5
Evaluation Eligible for Special Education and Related Services (ESERS) <ul style="list-style-type: none"> ▪ Multi-disciplinary ▪ Standardized Assessments ▪ Functional Assessments ▪ Bilingual Evaluations ▪ Written Reports 	47	16	34.1
Re-evaluation <ul style="list-style-type: none"> ▪ 3-year timelines ▪ planning meeting/participants ▪ Completed by June 30th of student's last year in preschool 	45	16	35.6
Total	196	87	44.4

*Districts that are within one year of approval of their improvement plan are excluded from the calculation.

Indicator # 16: Complaint Timelines

Part B State Performance Plan (SPP) for 2005-2012

Revised 2/1/11 to Reflect FFY 2011 and FFY 2012 SPP/APR Extension

Overview of the State Performance Plan Development: Indicator #16 – Complaint Timelines

Indicator #16, Complaint Timelines, was discussed at the first stakeholder meeting held on October 21, 2005. NJOSEP staff presented an overview and explanation of the indicator. NJOSEP staff provided an explanation of the complaint system and reviewed relevant data.

Stakeholder Input:

There was a discussion with the stakeholders about new procedures that were expected to streamline the complaint investigation process and ensure timely issuance of reports.

Indicator #16 was discussed at the January 14, 2011 stakeholder meeting. As reflected on the Indicator Progress Chart disseminated to stakeholders, NJOSEP staff discussed both the target and actual target data for FFY 2009. NJOSEP also discussed how complaint timelines are tracked and the oversight mechanisms used to issue reports within the 60-day timeline. Because the target for this indicator is 100%, there was little discussion of the target at the meeting.

(The following items are to be completed for each monitoring priority/indicator.)

Monitoring Priority: General Supervision/Complaints
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Revised Indicator (FFY2011 and FFY 2012)

Indicator #16: Percent of signed written complaints with reports issued that were resolved within 60-day timeline or a timeline extended for exceptional circumstances with respect to a particular complaint, or because the parent (or individual or organization) and the public agency agree to extend the time to engage in mediation or other alternative means of dispute resolution, if available in the State.

(20 U.S.C. 1416(a)(3)(B))

Measurement: Percent = [(1.1(b) + 1.1(c)) divided by (1.1)] times 100
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Overview of Issue/Description of System or Process:

The NJOSEP employs 4 full-time complaint investigators, 1 part-time staff (1/2 full-time equivalent) and one full-time coordinator. The coordinator supervises the complaint investigation process. The investigators identify allegations; conduct fact-finding and write reports that determine compliance/noncompliance and where there is noncompliance, direct corrective action. The part-time employee is responsible for conducting complaint investigations and assisting in oversight of implementation of the corrective action plans.

New procedures for conducting a complaint investigation have been developed and implemented. These include providing the parent and education agency an opportunity to resolve the complaint, an opportunity for the education agency to acknowledge noncompliance and submit a corrective action plan, and providing the education agency an opportunity to submit a written response to the allegations of noncompliance.

Baseline Data for FFY 2004 (2004-2005):

55% of signed written complaints were completed within 60-day timeline or a timeline extended for exceptional circumstances. (See Attachment 1 on Page 103)

Discussion of Baseline Data:

On December 31, 2004, 100% of complaints with reports issued were resolved within 60-day timeline or a timeline extended for exceptional circumstances with respect to a particular complaint. Subsequently, one staff member was promoted and assigned to another work assignment (March 2005) and one staff member resigned to accept another position (May 2005). After recruitment efforts, a full complement of staff was in place as of July 2005.

In addition, efforts were undertaken to review current procedures to ensure that complaint investigations are conducted as efficiently and effectively as possible and to assist in meeting timelines. As a result three new strategies have been implemented:

1. The complainant must now send a copy of the request to the education agency that is the subject of the complaint.
2. The education agency is given an opportunity to respond to the allegations before the fact-finding begins. This strategy assists the investigator in identifying records to be reviewed and key persons to interview, thereby reducing the amount of time spent in preparing for an onsite review.
3. A resolution process (as noted in the APR for FFY 2004) has been implemented. The process has two different options for resolving a complaint:
 - a) If the complaint was filed by the parent, and the complainant and respondent(s) reach an agreement that resolves the complaint, the education agency will forward to the Office of Special Education Programs a signed notice of the complainant's withdrawal of the complaint. If some, but not all, of the issues are resolved, the parties will so notify the OSEP, which may investigate the remaining issues. If the parties do not reach an agreement by the end of the ten-day period, the OSEP will proceed with its investigation.
 - b) The education agency may propose corrective action to address one or more allegations in the complaint. The Office of Special Education Programs may accept or reject the proposed corrective action, or require other corrective actions or time lines to ensure that the education agency is in compliance with respect to the issue(s) raised in the complaint. If, however, the education agency proposes corrective action that ultimately, does not satisfy the NJOSEP, then an investigation will be conducted.

Of 73 complaints to date, 20 were offered early resolution. Of those, 7 were withdrawn, in 1 instance the education agency acknowledged noncompliance and a report was issued. Additionally, 2 education agencies submitted sufficient information as to eliminate the necessity for an onsite review. While it is too soon to determine the full impact, these practices appear to be promising for assisting in meeting timelines.

FFY 2009 Update to State Performance Plan – Added Targets

FFY	Measurable and Rigorous Target
2005 (2005-2006)	100% of signed written complaints with reports issued are resolved within 60-day timeline or a timeline extended for exceptional circumstances with respect to a particular complaint.
2006 (2006-2007)	100% of signed written complaints with reports issued are resolved within 60-day timeline or a timeline extended for exceptional circumstances with respect to a particular complaint.
2007 (2007-2008)	100% of signed written complaints with reports issued are resolved within 60-day timeline or a timeline extended for exceptional circumstances with respect to a particular complaint.
2008 (2008-2009)	100% of signed written complaints with reports issued are resolved within 60-day timeline or a timeline extended for exceptional circumstances with respect to a particular complaint.
2009 (2009-2010)	100% of signed written complaints with reports issued are resolved within 60-day timeline or a timeline extended for exceptional circumstances with respect to a particular complaint.
2010 (2010-2011)	100% of signed written complaints with reports issued are resolved within 60-day timeline or a timeline extended for exceptional circumstances with respect to a particular complaint.
2011 (2011-2012)	100% of signed written complaints with reports issued are resolved within 60-day timeline or a timeline extended for exceptional circumstances with respect to a particular complaint. (Added)
2012 (2012-2013)	100% of signed written complaints with reports issued are resolved within 60-day timeline or a timeline extended for exceptional circumstances with respect to a particular complaint. (Added)

Improvement Activities/Timelines/Resources:

NOTE: Activities that will be continued through 2012-2013 are represented by the symbol *.**

I. Monitoring Timelines

- a. Continue to monitor timelines to ensure timely resolution of complaints. (Activity 2005-2006)***

II. Early Resolution of Complaints

- a. Continue to utilize strategies detailed above for early resolution of complaints and monitor for effectiveness. **(Activity 2005-2006)*****

III. Future Planning Activities: NJOSEP will reconvene the stakeholder group in April/May 2006 to: (a) review the most recent data; (b) discuss the status of current activities, and determine if additional strategies should be considered to reach the targets set in the 2005 State Performance Plan. **(Activity 2005-2006)*****

Indicator # 17: Due Process Timelines

Part B State Performance Plan (SPP) for 2005-2012

Revised 2/1/11 to Reflect FFY 2011 and FFY 2012 SPP/APR Extension

Overview of the State Performance Plan Development:

Indicator # 17, Due Process Timelines, was discussed at the first stakeholder meeting held on October 21, 2005. At the meeting staff from the NJOSEP presented an overview and explanation of the indicator. The presentation included information on the State's procedures related to due process hearings, including the changes that became effective July 1, 2005. Current data from the 2004-05 school year was presented to show the number of cases filed and the number of fully adjudicated due process cases held within and outside of the required timeline.

Stakeholder Input: Since the target for Indicator 17 must be 100% there was little discussion regarding this indicator.

Indicator #17 was discussed at the January 14, 2011 stakeholder meeting. As reflected on the Indicator Progress Chart disseminated to stakeholders, NJOSEP staff discussed both the target and actual target data for FFY 2009. NJOSEP also discussed how due process hearing timelines are tracked and the oversight mechanisms used to issue decisions within the 45 federal-day timeline. Because the target for this indicator is 100%, there was little discussion of the target at the meeting.

(The following items are to be completed for each monitoring priority/indicator.)

Monitoring Priority: Effective General Supervision Part B/General Supervision
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Revised Indicator

Indicator 17: Percent of adjudicated due process hearing requests that were adjudicated within the 45-day timeline or a timeline that is properly extended by the hearing officer at the request of either party or in the case of an expedited hearing, within the required timelines.

(20 U.S.C. 1416(a)(3)(B))

Measurement: Percent = (3.2(a) + 3.2(b)) divided by 3.2 times 100.

Overview of Issue/Description of System or Process:

In New Jersey the Office of Administrative Law (OAL) is the agency that hears all due process cases. Data are collected throughout the year by the OAL indicating the number of due process cases transmitted to OAL, the outcome of each case and the timeline for hearing and deciding a case. The New Jersey Department of Education (NJDOE) also maintains a database and inputs the total number of cases filed in New Jersey.

All due process and mediation cases are filed with NJOSEP. All pertinent information (i.e., date received, relief requested, parent/student identifying information, issues, and attorneys) is logged into a database and the case is assigned a specific case number. If mediation is requested NJOSEP immediately gives the folder to the office scheduler who then schedules the mediation date and location.

Pursuant to New Jersey law and code the OAL is the agency responsible to hear all due process cases that are not settled through mediation/resolution session or are directly transmitted for hearing per parent/district agreement. All transmittals are clearly tracked in the office database.

NJDOE and OAL have taken steps to expedite the processing of requests for a due process hearing and completion of due process hearings, with the goal of completing all cases within the 45-day federal time period (including all legal extensions of time). The NJOSEP and OAL implemented a new system for transmittal and processing of requests for a due process hearing to OAL on February 1, 2005. Cases are now transmitted and scheduled for an initial hearing on or about day 10. If additional hearing dates are required, they are scheduled on that initial hearing date and the matter is adjourned to the next hearing date. This system results in early case management by the administrative law judge assigned to the case, with an emphasis on keeping the parties focused on preparing for and completing the case as quickly and efficiently as possible. Parties are expected to begin their cases on the initial hearing date, and to resolve any discovery, witness or other procedural issues at that time, in order to allow for completion of the hearing on any subsequent hearing day(s) determined necessary to fully hear the matter. This system, with its added emphasis on case management at an early date, should result in a significant reduction of the number of calendar days utilized to complete due process hearings, as well as the number of federal days necessary to complete these cases.

Baseline Data for FFY 2004 (2004-2005): In school year 2004-05 there were a total of 848 hearing requests made to the NJDOE. Of those requests, 634 cases were ultimately transmitted to the OAL. Of the 634 transmittals, 255 resulted in settlement agreements and 86 cases were fully adjudicated at OAL. Of the 86 cases, 31 were fully adjudicated within the 45-day timeline and 44 were fully adjudicated within extended timelines. All remaining cases were either withdrawn, settled through mediation, closed or rejected by NJOSEP.

Data collected from the 2004-05 school year shows that 87.2% of fully adjudicated due process hearing requests were fully adjudicated within the 45-day timeline or a timeline that was properly extended. Only 11 of the 86 cases were not fully adjudicated within the appropriate timeline. (See Attachment 1 on page 103.)

Discussion of Baseline Data: Of the 86 fully adjudicated cases, 31 were fully adjudicated within the 45-day timeline and 44 were fully adjudicated within extended timelines. Only 11 of the 86 cases were not fully adjudicated within the appropriate timeline. Therefore, in school year 2004-05 a total of 87.2% of fully adjudicated cases were fully adjudicated within the 45-day timeline or a timeline that was properly extended.

FFY 2009 Update to State Performance Plan – Added Targets

FFY	Measurable and Rigorous Target
2005 (2005-2006)	100% of fully adjudicated Due Process cases will be fully adjudicated within the 45-day timeline or a timeline that is properly extended by the hearing officer at the request of either party.
2006 (2006-2007)	100% of fully adjudicated Due Process cases will be fully adjudicated within the 45-day timeline or a timeline that is properly extended by the hearing officer at the request of either party.
2007 (2007-2008)	100% of fully adjudicated Due Process cases will be fully adjudicated within the 45-day timeline or a timeline that is properly extended by the hearing officer at the request of either party.
2008 (2008-2009)	100% of fully adjudicated Due Process cases will be fully adjudicated within the 45-day timeline or a timeline that is properly extended by the hearing officer at the request of either party.
2009 (2009-2010)	100% of fully adjudicated Due Process cases will be fully adjudicated within the 45-day timeline or a timeline that is properly extended by the hearing officer at

	the request of either party.
2010 (2010-2011)	100% of fully adjudicated Due Process cases will be fully adjudicated within the 45-day timeline or a timeline that is properly extended by the hearing officer at the request of either party.
2011 (2011-2012)	100% of fully adjudicated Due Process cases will be fully adjudicated within the 45-day timeline or a timeline that is properly extended by the hearing officer at the request of either party.
2012 (2012-2013)	100% of fully adjudicated Due Process cases will be fully adjudicated within the 45-day timeline or a timeline that is properly extended by the hearing officer at the request of either party.

Improvement Activities/Timelines/Resources:

NOTE: Activities that will be continued through 2012-2013 are represented by the symbol *.**

I. Data Collection and Analysis

- a. Approximately 1100 due process and mediation petitions are filed with NJOSEP each year. In February 2005 NJOSEP introduced a new and improved database system to log and track all due process and mediation petitions that are filed. This database is comprehensive, accurate and user friendly. Early data indicates that the new system is adding to the efficiency of the hearing process. The new databases, along with changes initiated as of July 1, 2005 are proving to be effective in assuring parents and districts a timely due process hearing. To date, all cases that were transmitted to OAL (and were fully adjudicated) since February 1, 2005 have been fully adjudicated within the 45-day timeline or extended timeline. If this trend continues, New Jersey will meet its goal of 100% in school year 2005-06. In addition, a staff member from NJOSEP is employed on a full-time basis to immediately address any issues or necessary changes that need to be made ensuring seamless updates to the system. Monitoring and review of the database system will also occur on an annual basis. **(Ongoing Activity: 2005-2006 through 2012-2013)**
- b. Collaboration and monitoring of the new system for processing and hearing due process cases will occur at least four times a year beginning in 2006 through formal meetings with OAL and NJOSEP representatives. **(Ongoing Activity: 2005-2006 through 2012-2013)**

II. Training

- a. NJOSEP and OAL have a signed Memorandum of Understanding (MOU) whereby additional funds are annually appropriated to OAL to be used for annual training for all OAL judges. This will ensure that all updates on IDEA are communicated and explained on a regular basis. In addition, judges will be reminded and encouraged to conduct hearings in an efficient manner in order to adhere to the required 45-day timeline. Trainings began in July 2005 and will continue a minimum of one time each year. **(Ongoing Activity: 2005-2006 through 2012-2013)**
- b. Through the MOU with OAL, additional funds are given to OAL each year to hire staff (i.e.: judges and support staff) to further ensure the completions of due process cases within the 45-day timeline. The MOU is reviewed and updated each year. It is

anticipated that this will continue throughout the reporting period. **(Ongoing Activity: 2005-2006 through 2012-2013)**

- c. Each year a formal training by an outside consultant is provided to all judges from OAL and all mediators from NJOSEP. Expert information is provided to all participants to ensure knowledge of IDEA and State special education regulations. Funds are appropriated for this activity on an annual basis and it is anticipated that this will continue throughout the reporting period. **(Ongoing Activity: 2005-2006 through 2012-2013)**

Update to Improvement Activities FFY 2007 – 2/2/09

Given the increased number of due process cases, the scope of the MOU between the NJOSEP and the OAL is being expanded to hire an additional administrative law judge and fund the cost of conducting special education due process hearings. See revision at <http://www.nj.gov/education/specialed/info/spp/>. (Ongoing Activity 2008-2009 through 2012-2013)***

Part B – SPP /APR Attachment 1 (Form)**Report of Dispute Resolution Under Part B of the Individuals with Disabilities Education Act Complaints, Mediations, Resolution Sessions, and Due Process Hearings**

SECTION A: Signed, written complaints	
(1) Signed, written complaints total	306
(1.1) Complaints with reports issued	187
(a) Reports with findings	110
(b) Reports within timeline	99
(c) Reports within extended timelines	3
(1.2) Complaints withdrawn or dismissed	88
(1.3) Complaints pending	31
(a) Complaint pending a due process hearing	28

SECTION B: Mediation requests	
(2) Mediation requests total	557
(2.1) Mediations	411
(a) Mediations related to due process	271
(i) Mediation agreements	85
(b) Mediations not related to due process	140
(i) Mediation agreements	38
(2.2) Mediations not held (including pending)	146

SECTION C: Hearing requests	
(3) Hearing requests total	848
(3.1) Resolution sessions	0
(a) Settlement agreements (at OAL)	255
(3.2) Hearings (fully adjudicated)	86
(a) Decisions within timeline	31
(b) Decisions within extended timeline	44
(3.3) Resolved without a hearing	638

SECTION D: Expedited hearing requests (related to disciplinary decision)	
(4) Expedited hearing requests total	4
(4.1) Resolution sessions	0
(a) Settlement agreements	1
(4.2) Expedited hearings (fully adjudicated)	0
(a) Change of placement ordered	0

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Indicator # 18: Hearing Requests Resolved by Resolution Sessions **Part B State Performance Plan (SPP) for 2005-2012**

Revised 2/1/11 to Reflect FFY 2011 and FFY 2012 SPP/APR Extension

Overview of the State Performance Plan Development:

Indicator # 18, Hearing Requests Resolved by Resolution Sessions, was originally discussed at the first stakeholder meeting on October 21, 2005. NJOSEP staff presented an overview and explanation of the indicator. The presentation included information on procedures related to resolution sessions which started as of July 1, 2005. This is a new indicator; consequently there were no baseline data presented to stakeholders on October 21, 2005.

Update to State Performance Plan Development: FFY 2005

At the stakeholder meeting on January 10, 2007, a discussion was held regarding the data collected and reported for FFY 2005. It was noted that the data may not have accounted for all of the resolution sessions held and the related outcomes for the reporting period. Additionally, there was only one year of data to analyze when setting the targets. As a result the targets were set below the baseline data and the stakeholders agreed that the targets could be adjusted in the future. (See discussion of baseline data below.)

Stakeholder Input: FFY 2005

As a result of the discussion regarding the completeness of the data, it was decided to set the target below the reported baseline data for the 2005-2006 school year. It was agreed that the targets could be adjusted in the future as the database is now fully operational and school districts are consistently reporting the outcome of resolution sessions.

Stakeholder Input: FFY 2009

Indicator #18 was discussed at the January 14, 2011 stakeholder meeting. As reflected on the Indicator Progress Chart disseminated to stakeholders, NJOSEP staff discussed both the target and actual target data for FFY 2009. NJOSEP also discussed how resolution meeting timelines are tracked and the oversight mechanisms used. Extension of the target range was discussed at the meeting, and the two additional years of targets were developed.

FFY 2006 Update to State Performance Plan Development

Indicator # 18, Hearing Requests Resolved by Resolutions Sessions, was discussed at a stakeholder meeting on January 11, 2008. NJOSEP staff presented an overview and explanation of the indicator and the progress/slippage towards reaching the target. The presentation included a discussion about revising the targets so that they could be expressed in a range, as permitted by USOSEP.

Now that the states are allowed to have a range as the target, the NJOSEP and its stakeholders discussed this possibility and agreed to revise the baseline and change the targets to ranges for the remaining years of the SPP. (See below.)

Monitoring Priority: Effective General Supervision Part B/General Supervision
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Indicator # 18 Percent of hearing requests that went to resolution sessions that were resolved through resolution session settlement agreements.

Measurement: **Percent = (3.1)(a) divided by (3.1) times 100**

Describe how data are to be collected so that the State will be able to report baseline data and targets in the FFY 2005 APR due 2/1/07:

Overview of Issue/Description of System or Process: As of July 1, 2005 all due process cases that are filed by parents with the New Jersey Department of Education (NJDOE) have the option of holding a resolution session or mediation session. When the cases are filed, the petitioner may indicate in the petition his or her preference for resolution session or mediation. The parent's preference is noted in a log that the Coordinator of Dispute Resolution maintains on a daily basis.

Once a new due process petition is opened by NJDOE, an acknowledgement letter is sent to all parties which states the district's responsibility to offer and coordinate a resolution session or the option that all parties may instead agree to mediation which is arranged through NJDOE. The district has 15 days to contact the parties to arrange and conduct a resolution session.

Preferably, the district notifies NJDOE of its decision to conduct a resolution session or request mediation. Since the district does not always notify NJDOE regarding the resolution session, NJDOE is continuing to pilot a process whereby on or about day 20 of the 30-day resolution period, a representative from NJDOE calls the parties to see whether a resolution session was held or whether the parties consent to schedule mediation. NJDOE also calls the parties on day 30 prior to transmitting the case to the Office of Administrative Law (OAL) to see if a resolution agreement was reached.

If a resolution session results in a signed agreement by all parties, NJDOE is notified in writing and the case is closed in the database with the outcome listed as "Resolution Agreement." This will allow NJDOE to track the number of resolution agreements reached each year.

Baseline Data for FFY 2005: In school year 2005-06 the NJOSEP recorded a total of 73 resolution meetings as being held. Of the 73 meetings, 56 resulted in resolution agreements which translate into 77% of the meetings resulting in agreements.

Discussion of Baseline Data for 2005-2006:

If a resolution session results in a signed agreement by all parties, NJOSEP is notified in writing and the case is closed in the database with the outcome listed as "Resolution Agreement." This allows NJDOE to track the number of resolution agreements reached each year. Data for this indicator are collected through the NJOSEP database system which allows NJDOE to input the outcome of all resolution sessions held in the state on a case-by case basis.

However, the data collected by the NJOSEP for this indicator may not accurately account for all of the resolution meetings held and the related outcomes for the reporting period. Two factors may have influenced the accuracy of the data. First, the tracking system for the resolution meetings was not fully operational until after July 1, 2005. Second, as the school districts began to implement this new requirement, school districts were not diligent in reporting the data to NJOSEP. Thus, some sessions may not have been reported and/or collected. As a result, the NJOSEP is setting its targets for Indicator 18 below the initial 77% to account for resolution meetings that may have been conducted and were not reported. If the rate of agreements continues to remain at 77% or above, the NJOSEP will revise the target for future years.

FFY 2006 Update to Discussion of Baseline Data and Target Setting

Data for this indicator are collected through the NJOSEP database system which allows NJDOE to input the outcome of all resolutions sessions held in the state on a case-by-case basis. The NJOSEP has improved its data collection systems to more accurately account for all of the resolution meetings held and the related outcomes for the reporting period.

In school year 2006-07 the NJOSEP recorded a total of 82 resolution meetings as being held. Of the 82 meetings, 42 resulted in resolution agreements which translate into 51.2% of the meetings resulting in agreements. Notwithstanding the initial difficulties in tracking and data collection, this represents a decrease in the percentage of resolution agreements. Thus, the stakeholders agreed that the targets should be reset as a range. The revised targets for indicator 18 are as follows:

FFY 2006 Update to State Performance Plan – Revised Targets and FFY 2009 Update to State Performance Plan – Added Targets

FFY	Measurable and Rigorous Target
2005 (2005-2006)	65% of hearing requests that went to resolution sessions were resolved through resolution session settlement agreements.
2006 (2006-2007)	45-55% of hearing requests that went to resolution sessions were resolved through resolution session settlement agreements.
2007 (2007-2008)	45-55% of hearing requests that went to resolution sessions were resolved through resolution session settlement agreements. (Revised)
2008 (2008-2009)	45-55% of hearing requests that went to resolution sessions were resolved through resolution session settlement agreements. (Revised)
2009 (2009-2010)	50-60% of hearing requests that went to resolution sessions were resolved through resolution session settlement agreements. (Revised)
2010 (2010-2011)	55-65% of hearing requests that went to resolution sessions were resolved through resolution session settlement agreements. (Revised)
2011 (2011-2012)	55-65% of hearing requests that went to resolution sessions were resolved through resolution session settlement agreements.
2012 (2012-2013)	55-65% of hearing requests that went to resolution sessions were resolved through resolution session settlement agreements.

Improvement Activities/Timelines/Resources:

I. Data Collection and Analysis

- a. NJDOE will monitor the number of due process petitions filed where a resolution session is held and settlement is reached. This data will be used to assist in setting the target for the state report.

This process began on July 1, 2005 and will continue throughout the reporting period. Furthermore, the office database is now able to record information regarding resolution activities. **(Ongoing Activity: 2005-2006 through 2012-2013)**

b. NJDOE will continue to implement procedures to call the parties on or about day 20 of the 30-day resolution period to see if they have held a resolution session or consent to schedule mediation. NJDOE also reaches out to the parties on day 30 prior to transmitting the case to the Office of Administrative Law (OAL) to see if a resolution was reached. This process started in July 2005 and the effectiveness of the process was reviewed in July 2006. Although the process was determined effective, it was also determined inefficient with respect to the use of staff time and as a result, alternatives are being explored. **(Ongoing Activity: 2005-2006 through 2012-2013)**

II. Policy

- a. In an effort to collect ongoing data relating to resolution sessions, the NJOSEP adopted a new code provision, effective September 5, 2006, which requires the parties to notify the office, in writing, of the result of the resolution meeting. This new provision should aid in the collection of precise data.

III. Information Dissemination and Training

- a. In July 2005, guidance with respect to the requirements for due process, mediation and resolution meetings were disseminated to all districts, parents and interested parties. The information is provided to the parents when a request for mediation or a petition for due process is received. In addition, the information is available on the department's website.
- b. Code training, including the requirements for mediation, due process and resolution meetings were provided to all districts in October through December 2006.
- c. The NJOSEP is in the process of developing a formal training for districts and attorneys on dispute resolution and the mediation/due process procedures and requirements. These trainings will take place in Spring 2007. It is anticipated that information related to resolution meetings will be included in the presentation so that districts will be made aware of the requirements and procedures for resolution meetings.
- d. A representative from the NJOSEP attended the "Fourth National Symposium on Dispute Resolution in Special Education" sponsored by CADRE in December 2006. Presentations and information were provided on resolution meetings which will be reviewed for promising practices that may be incorporated into New Jersey's resolution activities.

FFY 2006 Update to Improvement Activities

The NJOSEP is exploring the possibility of partnering with an agency, organization, or other entity that has expertise in dispute resolution techniques to develop and/or provide training and technical assistance to districts and parents to improve outcomes for resolution sessions.

Indicator # 19: Mediation Agreements**Part B State Performance Plan (SPP) for 2005-2012****Revised 2/1/11 to Reflect FFY 2011 and FFY 2012 SPP/APR Extension****Overview of the State Performance Plan Development:**

Indicator #19, Mediation Agreements, was discussed at the first stakeholder meeting held on October 21, 2005. At the meeting staff from the NJOSEP presented an overview and explanation of the indicator. The presentation included information on the State's mediation and due process procedures and how they have changed since July 1, 2005. Current data from the 2004-05 school year was presented including the number of cases that were filed, the number of mediations held and the percent of agreements that were reached. Recommended targets from NJOSEP were presented to the stakeholder group.

Stakeholder Input: A small group activity facilitated by Dr. Kristin Reedy of the NERRC, provided stakeholders an opportunity to have input into a discussion of current beliefs and assumptions related to mediation. The large group was divided into four small groups and was asked to discuss: the NJOSEP's proposed target for the percent of mediations that should result in mediation agreements; determine if they agreed with the proposed target; and if there was not agreement, the target they believed was appropriate.

As a result of the group activity the following "Assumptions/Beliefs" were stated:

- Mediation is a "unique" process and is not a settlement conference.
- A mediator is a neutral party to assist in realistic expectations for both sides.
- The goal of mediation should be to identify mutual interests and shared goals.
- Skill/quality of the mediators/mediation affects ability to "close the deal."
- Mediation should preserve relationships.
- There needs to be more training to encourage collaboration for parents and district personnel.
- There may be an imbalance in mediation because parents have more to lose if no agreement is reached. The districts do not always have a willingness/incentive to resolve the issues.
- Mediation works when both parties are motivated to work together.

A consensus was reached among the group that the overall targets should be higher than those proposed by NJOSEP at the meeting. As a result, staff from NJOSEP reviewed all stakeholder comments and subsequently raised the targets as reflected below.

Several ideas to help improve the mediation process and to aid in attaining the established targets were also discussed and have been incorporated into the Improvement Activities /Timelines/Resources.

Stakeholder Input: FFY 2009

Indicator #19 was discussed at the January 14, 2011 stakeholder meeting. As reflected on the Indicator Progress Chart disseminated to stakeholders, NJOSEP staff discussed both the target and actual target data for FFY 2009. NJOSEP also discussed how mediation agreements are tracked. Extension of the target range was discussed at the meeting, and the two additional years of targets were developed. The NJOSEP utilized the recommended target for FFY 2011, but utilized a slightly different target range for FFY 2012. The stakeholders suggested a range of 40 – 45% for FFY 2012. Based on actual data from past years, NJOSEP determined to use a range of 37-42% for FFY 2012.

Monitoring Priority: Effective General Supervision Part B/General Supervision**Indicator #19: Percent of mediations held that resulted in mediation agreements.****Measurement:** Percent = (2.1(a)(i) + 2.1(b)(i) divided by (2.1) times 100.

Overview of Issue/Description of System or Process: In school year 2004-05 the NJOSEP received a total of 557 requests for mediation (146 of which were not held, including pending cases). The requests are logged in to the office database and are separated by mediations and mediations related to due process. All files for mediation are immediately given to the office scheduler who in turn calls both parties and schedules the mediation session within approximately 10 days.

When the mediation occurs and a settlement agreement is reached the mediator will write the agreement with the parties and both parties will sign the agreement form which in turn becomes a binding and enforceable agreement. The case is then closed by the mediator in the database. The case file is held in an NJOSEP file for approximately six months at which time it is transferred to storage.

Baseline Data for FFY 2004 (2004-2005): In school year 2004-05 a total of 557 mediation requests were filed with NJOSEP. Of the requests, a total of 146 were not held and/or are pending. Out of the 557 mediation requests 411 mediations were held. Of those, 271 were mediations related to due process and 140 were mediations not related to due process. Of the 271 mediations related to due process, 85 resulted in mediation agreements. Of the 140 mediations not related to due process, 38 resulted in mediation agreements. This translates to 30% of mediations held in FFY 2004 resulted in a mediation agreement. (See Attachment 1 on Page 103.)

Discussion of Baseline Data: Baseline data used to establish NJOSEP targets was compiled by looking at the last three years of data, including 2004-2005 data. Over that time the rate of mediation agreements varied from 31% (school year 2002-2003) to 36% (school year 2003-04) to 30% (school year 2004-05). NJOSEP is setting its target slightly higher than the current levels due to the belief that the mediator must remain a neutral party in the discussions and he/she should not be pressured or expected to reach an agreement. Therefore, if the target is too high there may be direct or indirect pressure on each neutral mediator to settle a matter in a way that may not be beneficial to the parties.

FFY 2008 Update to State Performance Plan – Revised Targets and FFY 2009 Update to State Performance Plan – Added Targets

FFY	Measurable and Rigorous Target (Revised 2/1/2010)
2005 (2005-2006)	32% of mediations held will result in mediation agreements.
2006 (2006-2007)	34% of mediations held will result in mediation agreements.
2007 (2007-2008)	36% of mediations held will result in mediation agreements.

2008 (2008-2009)	32% through 40% of mediations held will result in mediation agreements.
2009 (2009-2010)	34% through 41% of mediations held will result in mediation agreements.
2010 (2010-2011)	36% through 42% of mediations held will result in mediation agreements.
2011 (2011-2012)	36% through 42% of mediations held will result in mediation agreements. (Added)
2012 (2012-2013)	37% through 43% of mediations held will result in mediation agreements. (Added)

Improvement Activities/Timelines/Resources:

Note: **** Represents Improvement Activities Suggested by Stakeholders. Activities that will be continued through 2012-2013 are represented by the symbol ***.

I. Data Collection and Analysis

- a. In February 2005 NJOSEP introduced an improved database system to log and track all due process and mediation petitions that are filed. This system is comprehensive, accurate and user friendly and allows each mediator to more fully capture the issues to be discussed at the mediation. Annual maintenance and evaluation of the database system will occur to ensure accurate reporting of all data. **(Activity: 2005-2006)*****
- b. The NJOSEP will develop an evaluation tool to gauge participant's perspective of each mediation session. This will be a voluntary evaluation that each mediator will bring and distribute to all participants at each mediation session, both settled and not settled. The evaluation will include questions which will enable NJOSEP to monitor both positive and negative and suggested comments about the mediation process. Each evaluation will contain an addressed and stamped return envelope to encourage feedback from all parties in a timely manner. **(Activity: 2005-2006) ******
- c. The evaluation tool will be implemented during the 2006-2007 fiscal year and the results will be analyzed twice during the year to inform changes, if needed, to the mediation process. NJOSEP will determine the usefulness of the evaluation tool, and if found to be effective, will continue to use it on an ongoing basis. **(Activity: 2006-2007)*****

II. Scheduling of Mediations

- a. NJOSEP employs a full-time staff member who is responsible for scheduling all mediations in a timely manner. Additionally, parties will frequently call and speak to a mediator to gain a full understanding of the mediation process and the role of the mediator. Both the timely response to the mediation request and clarification regarding the mediation process are intended to put the parties at ease before entering the mediation room and contribute to a climate that may lead to more mediation agreements. **(Activity 2005-2006)*****

III. Professional Development for NJOSEP Staff

- a. Professional development of all mediators is a continuous focus of NJOSEP. All mediators are required to attend three-day training in Atlanta, Georgia sponsored by the Justice Center of Atlanta. Additional professional development activities are encouraged and supported by NJOESP throughout the year. **(Activity 2005-2006)*****
- b. Each year a formal training by an outside consultant is provided to all judges from the Office of Administrative Law (OAL) and all mediators from NJOSEP. Expert information is provided to all participants to ensure knowledge of IDEA and state special education regulations. Funds are appropriated for this activity on an annual basis and it is anticipated that this will continue throughout the reporting period. **(Activity 2005-2006)*****
- c. All policy guidance issued to districts and stakeholders is also provided to each mediator. Meetings are held with the mediators to review the guidance and answer any questions pertinent to mediation. **(Activity 2005-2006)*****
- d. Regular staff meetings are held with all mediators. An increased effort will be made by NJOSEP to include presentations and discussions on specific topics related to special education and mediation. **(Activity 2006-2007)*****

IV. Professional Development/Information Dissemination for School Personnel and Families

- a. NJOSEP, as part of its New Jersey State Improvement Grant partnership with the Statewide Parent Advocacy Network, is developing a train the trainer workshop focused on Parent/Educator Collaboration. The workshop is being designed to: (a) increase awareness of key behaviors that facilitate effective communication and collaboration; (b) increase common understanding of students' needs relative to IEP development; (c) provide tools and strategies that facilitate ongoing parent/educator collaboration before, during and after the IEP development; and (d) foster positive attitudes about home/school partnerships. Additionally, participants will have the opportunity to develop a district plan for increasing parent/educator collaboration and communication. **(Activity: 2005-2006 through 2006-2007)**

This type of professional development is consistent with stakeholder comments regarding the need for "better communication between parties" and "a proactive approach to address the need for better communication in order for parties to work well together to prevent the need for mediation as well as during and after mediation." **(Activity: 2005-2006) ******

- b. The NJOSEP is researching a pilot program on IEP facilitation. **(Activity: 2005-2006)**
- c. The NJOSEP regularly reviews, revises and disseminates its Parental Rights In Special Education (PRISE) document to ensure that it is clear and informative to all parents. The document is also posted on the Department's website. **(Activity 2005-2006) *****

- V. Future Planning Activities:** NJOSEP will reconvene the stakeholder group in April/May 2006 to: (a) review the most recent data; (b) discuss the status of current activities, and determine if additional strategies should be considered to reach the targets set in the 2005 State Performance Plan. **(Activity: 2005-2006)*****

Indicator # 20: State Reported Data

Part B State Performance Plan (SPP) for 2005-2012

Revised 2/1/11 to Reflect FFY 2011 and FFY 2012 SPP/APR Extension

Overview of the State Performance Plan Development:

Indicator #20, State Reported Data, was discussed at the second stakeholder meeting held on November 3, 2005. NJOSEP staff presented an overview of the SPP requirements for the indicator and indicated that the required target was 100%.

Stakeholder Input: There was minimal discussion regarding this indicator.

(The following items are to be completed for each monitoring priority/indicator.)

Monitoring Priority: Effective General Supervision Part B / General Supervision
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Indicator #20: State Reported Data (618 and State Performance Plan and Annual Performance Report) are timely and accurate.

<p>Measurement: State reported data, including 618 data and annual performance reports, are:</p> <ul style="list-style-type: none"> a. Submitted on or before due dates (February 1 for child count, including race and ethnicity, placement; November 1 for exiting, discipline, personnel; and February 1 for Annual Performance Reports); and b. Accurate (describe mechanisms for ensuring accuracy).
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Overview of Issue/Description of System or Process:

Data Submission Timelines - All state reported data including 618 data and annual performance reports were submitted in a timely manner during the 2004-2005 school year. To ensure that New Jersey's 652 districts submit their data to NJOSEP in a timely manner, the following steps were taken:

- Clarifying of directions to districts regarding the Exiting, Personnel, Child Count, and Discipline counts with clear and concise timelines for them to follow;
- Ensuring prompt phone response from NJOSEP staff to questions and technical problems that occurred while districts were preparing their online data submission; during the actual data submission; and after the data submission to NJOSEP;
- Providing local school districts with strict instructions that specify the data submission deadlines and penalties for those districts not adhering to these deadlines;
- Tracking district submissions and providing follow-up phone calls and/or written correspondence to districts that appear in jeopardy of missing important deadlines.

Data Accuracy – The online submission of data from New Jersey's 652 districts must pass a series of edit checks to ensure the data received from each district is accurate and complete. This means that users of the system, at each district, must submit their data without errors. There is an array of multiplication and logic checks that must be satisfied before the system will accept and ultimately

allow users to submit their data. Users who are unable to submit their data due to errors must then call NJOSEP for online technical support.

Once NJ OSEP has received the data, staff will use a series of programs to further check for year-to-year inconsistencies. Districts with substantial changes are contacted and asked to either, verify, correct, and or resubmit their data. In addition, districts that are monitored during the year receive summary versions of their data in the form of a three year district profile.

Additionally, progress has been made towards the development and implementation of a Department of Education student level database. A vendor has been selected and statewide assessment data are being entered into the system. Other data will be added to the system and districts will be advised of the information that must be provided. It is anticipated that a student level database will provide an opportunity for a greater level of accuracy in all statewide data collections including annual data required under the IDEA 2004.

Baseline Data for FFY 2004 (2004-2005):

Data Submission Timelines: 100% of state reported data was submitted to USOSEP on or before due dates.

Data Accuracy: Based on the current edit checks, 100% of annual data collected by NJOSEP is accurate.

Discussion of Baseline Data:

Data Submission Timelines: The steps described above to ensure timely submission of data have proven very effective, resulting in 100% of all districts submitting their required data well within the due dates for the various data collections. The timely submission of district data, in turn, has afforded NJOSEP sufficient time to review the data submissions, contact districts to correct errors or inconsistencies, and analyze and submit APR and 618 data to the USOSEP in a consistent and timely manner.

Data Accuracy: The electronic edit-checks that are built into the NJOSEP database for collecting special education data are currently a first-level accuracy check for data submitted by districts. According to these built-in checks that ensure annual submission accuracy as well as year-to-year submission consistency, by district, 100% of the annual data collected by NJOSEP is accurate.

FFY	Measurable and Rigorous Target
2005 (2005-2006)	100% of state reported data are submitted in a timely and accurate manner.
2006 (2006-2007)	100% of state reported data are submitted in a timely and accurate manner.
2007 (2007-2008)	100% of state reported data are submitted in a timely and accurate manner.

2008 (2008-2009)	100% of state reported data are submitted in a timely and accurate manner.
2009 (2009-2010)	100% of state reported data are submitted in a timely and accurate manner.
2010 (2010-2011)	100% of state reported data are submitted in a timely and accurate manner.
2010 (2010-2011)	100% of state reported data are submitted in a timely and accurate manner.
2010 (2010-2011)	100% of state reported data are submitted in a timely and accurate manner.

Improvement Activities/Timelines/Resources:**I. Data Verification**

While NJ OSEP is able to ensure data accuracy upon submission of the data, at the district level, further strategies will be explored to drill down to the district-level and clarify the accuracy of data that districts report. NJ OSEP is considering the development of a protocol using sampling to verify data accuracy reporting at the district level. **(Activity: 2005-2006 through 2006-2007)**

NJOSEP will continue to collaborate with other units within the department that are responsible for developing and implementing a statewide student-level database. **(Ongoing Activity: 2005-2006 through 2010-2011)**